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### A MARYLAND MERCHANT AND HIS FRIENDS IN 1750.

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(Read before the Society March 13, 1911.)

The passenger on the night boat for Easton, Cambridge and other Eastern Shore points is awakened as the whistle blows for the Oxford dock to one of the fairest sights his eye will rest upon in many journeys. Before him, scarcely visible for the trees which shield it from the often too hot sun, lies a veritable picture town, and about him is another picture, Oxford harbor, with its fussy motor boats, fishermen's skiffs and perhaps a fleet of graceful, clean cut yachts, lying at anchor or getting under way for a long day of cruising or racing. It is a scene pleasing to the eye of the casual traveller or the aquatic enthusiast, busy with things to certain extent frivolous; gay with the brightness of white canvas and freshly painted craft; industrious, animated, picturesque, it is a joy to the beholder. There is real business afoot here too, but where is the tall shipping that used to throng this harbor, and where the cosmopolitan mingling of planter, sailor, factor and commercial adventurer; where in a word is all the varied life of that busy seaport which in point of interest placed it next to Annapolis in colonial Maryland? As a town of delight-

ful home and social life it is supreme to-day, but it knows a story which its bright face hides of a decline from the position of chief point of entry for the Eastern Shore in 1750 to its present commercial unimportance.

In Boogher's *Miscellaneous Americana* for 1883, pp. 45-52, there is a contribution by Mr. Charles Henry Hart relating to this busy period in the history of the little Eastern Shore town. It contains, among other things of interest, an extract from the manuscript "Narrative of the Principal Incidents in the Life of Jeremiah Banning. Written by himself in 1793," and it will be well to look at Oxford and its chief citizen through the eyes of the young first mate on an English vessel which traded there in the year 1750. Captain Banning, taking up the pen in his old age, has this memory of the one time metropolis:—

"What led to the above particulars of Mr. Morris, was in order to give a sketch of the now poor, forlorn and deserted town of Oxford, which was at the time of his death, and during his agency, and of which he was the principal promoter, the most commercial port in Maryland—In those days, Talbot County afforded but very few stores. Easton (then called the Courthouse) not one. Seven or eight large ships, at one time, bath frequently been seen laying at Oxford, completing their lading. It was no uncommon thing to despatch a ship of 500 hogshead of tobacco in one fortnight after their arrival. At that time tobacco did not undergo a public inspection as now—men skilled in that article were employed by the merchants (and who were called receivers) to view, weigh and give receipts to the planters. After which vessels were sent to collect it, when it underwent a repacking and priseing preparatory to shipping. After the death of Mr. Morris, commerce, splendor, and the agreeable hurry of business at Oxford, gradually declined to the commencement of the Civil War, which broke out in 1776, when it became in a manner totally deserted as to commerce."

This is doubtless a fairly accurate picture of the Oxford of 1750. With Annapolis and the rapidly growing town of Baltimore,

it formed a trinity of bay ports which absorbed the greater part of the Maryland commerce. Why it did not survive commercially the failure of the Eastern Shore tobacco trade, why the wheat fields of Dorchester and Talbot did not make it a serious rival of Baltimore in the exportation of wheat is difficult to determine. In 1750, or certainly a few years earlier, it was as Banning says "the most commercial port in Maryland," but even then the bustling little town on the Patapsco was freighting the grain of Baltimore and Frederick Counties and with each year pushing ahead of its elder sister in Talbot.

The trade situation is so familiar that a bare outline of its activities will suffice here. The Maryland Trade, as it was called, consisted in 1750 chiefly of the exportation of tobacco and the importation of manufactured goods of all sorts—cloth, cotton goods, utensils and tools. A small amount of grain and lumber sometimes went into a ship which lacked something of having a full cargo of the staple. The business was in the hands of a few great English merchants such as the Cunliffes, Anthony Bacon, the Hunts, the Hydes, the Gildarts and a few others of less importance. Each of these houses had an agent or factor in one or more of the Maryland ports of entry.

The house of Foster Cunliffe & Sons of Liverpool had its headquarters and chief factor at Oxford, another large store on the Chester River about twelve miles above New Town, as Chestertown was then called, and a smaller store halfway between these at Head of Wye. The other firms were not behind them in the number and strategic positions of their posts. An interesting chapter of history will some day be written about the rise and maturity of these trading concerns which were the foundation of Maryland's commercial greatness, the promoters of which amassed fortunes, acquired titles and left an undying tradition of their enterprise and adventurous spirit in the fields of trade. Such a story would not be devoid of romance.

In the decade from 1740 to 1750, the Cunliffes were fortunate in having as their chief factor one Robert Morris, a personage known to posterity chiefly as the father of the celebrated Robert Morris of Philadelphia, the financier of the Revolution. To his

own generation, however, Robert Morris the elder was a figure of no little importance, and this was the case not only in Talbot County but throughout the Province. Banning has an interesting paragraph about the much admired and somewhat tyrannical Oxford factor whom he as mate on a Cunliffe vessel doubtless met on his visits to the Eastern Shore town :—

“ . . . this gentleman,” he writes, “ was one of those instances out of many to evince, that it is not always necessary to be high born and educated to become a conspicuous character.—His great natural abilities o’erleaped every other deficiency. As a mercantile genius, companion and bon vivant, he was incomparable. If he had any public point to carry he defeated all opposition. He gave birth to the inspection law on tobacco—and carried it—though opposed by a powerful party. He was the first who introduced the mode of keeping accounts in money, instead of so many pounds of tobacco. . . . He was a steady, sincere and warm friend, where he made professions, and had a hand ever open and ready to relieve real distress. At repartee, he bore down all before him. His greatest foibles, that of a haughty and overbearing carriage, perhaps a too vindictive spirit, and to this may be added an extreme severity to his servants. . . . ”

This is the gentleman whom his assistant described as “ the most accomplished factor (without exception) of all Maryland, the famous Robert Morris.” He presents an attractive personality, worthy of study, but it will be necessary to leave him now to make the acquaintance of this assistant of his, a certain pepper box of a Manxman, Henry Callister by name, indented servant, assistant factor and chief factor of the house of Cunliffe in Maryland.

Although Henry Callister came to Maryland under articles of indenture, yet he sprang from a good armor-bearing family in the Isle of Man, a fact of which he was decently proud. The following extract from a letter to a friend of his later days, given at greater length in Scharf’s *History of Maryland*, contains some personal details of interest.



"To conclude," he says, "in regard to myself:—after a regular apprenticeship in a compting house, shop and cellars, at home, afterwards two years more in a compting house in Dublin, and one year in France, I came over to Maryland for five years at £20, with good recommendations. I had indeed the privilege, all this while, of selling my own goods in the store; but that cost them nothing."

It was in February, 1742, that Callister came to Oxford and began his service as assistant to the factor, Mr. Morris. He seems to have been an attractive youth, and he was apparently at no social disadvantage on account of his indenture. Well educated in the rudiments, a French scholar, a student of the classics and of history and economics, proficient in botany and bird lore and a performer of note on several musical instruments, he found the doors of many congenial people open to him. He became friendly with numerous Bozmans, Goldsboroughs, Emersons and Trippes, nor did his association with Mr. Morris end when the store door was closed. There was no reason that his exile should prove unpleasant to him.

Many of the figures that he touched in daily association stand out with distinctness. One of these was the Rev. Daniel Maynadier, rector of St. Peter's Parish, Talbot County, within the bounds of which lay the town of Oxford. This worthy parson was a French Huguenot by birth who had come to the incumbency of the parish nearly thirty years before this time. A single sentence which has come down through two intervening centuries sets him before the reader as a being of flesh and blood. In a "Character of the Clergy in Maryland" drawn up in 1722 for the information of the Bishop of London, Mr. Maynadier is thus appraised:—"A Whig of the first rank, and reputed a good liver, but a horrid preacher." He left behind him, however, a name sweet in the memory of his parishioners and a posterity which continues in honor and good position to the present day. Unfortunately, his curate was one of the type which too often in colonial history has brought scandal on his order. Callister refers to him as "a Brute of a Parson," and he was not greatly overstating the facts of the case.

It is possible to know a great deal of the life and doings of Mr. Henry Callister, for he, as a careful business man, kept copies of every letter that he wrote which in the least concerned his commercial interests. He wrote his letter first in a stout blank book, often with many interlineations and erasures, and when it was done to his satisfaction, he made a fair copy to be sent to his correspondent. At his death these letter books fell into the hands of his widow, who died many years later at Myrtle Grove, the Goldsborough estate in Talbot County. Here the "Callister Papers" as they are called remained for over half a century, when they were given to Dr. Ethan Allen, who in his turn gave them to the Diocese of Maryland. They are now in the vault of the Maryland Diocesan Library, in good condition, but showing sad signs of the inevitable decay that paper is heir to. They are for the most part written in the clerkly hand of Callister, in excellent language and in a style that is at once clear, easy and colloquial. Now and then one is almost startled by the intrusion into his pages of the eighteenth century in the form of coarse Anglo-Saxon words and expressions to which our delicate ears are all unused, but which somehow bring us into very easy and friendly relations with their writer. One finds in these letters a dependable picture of life in Maryland from the year 1740 until the period of the Revolutionary War.

The first item of general interest is a passage in which Mr. Morris' newly arrived clerk describes to a friend at home the shortcomings and advantages of residence in Maryland. A part of it has been quoted before this, but the entire passage is worthy of attention :—

"Imprimis, The Country being altogether wild & savage at the first discovery, it was found to be an immense forest, full of Vermin of various sorts and sizes. European merchants have found it their Interest to introduce a new brood of Vermin wch they keep the Country supplied with, viz. Cats, Dogs, Negroes & Convicts. We are swarming with Bugs, Musketoos, worms of every sort both land & water, spiders, snakes, hornets, wasps, sea Nettles, Ticks, Gnats, Thunder & Lightning, excessive heat,

excessive cold—irregularities in abundance, I mean according to our Notions of regularity; Great variety of strange Birds, Beasts & fishes, trees & plants. Nothing less than a whole Volume could give you a Catalogue of the rarities of this new World. The best Character of the Country, I think, is, that the industrious may live very well here; those that love pleasures, but poorly; & no Encouragement for Thieves—This is the Purgatory of Rogues & Fools.

Our Fires are wood, Our Houses as good;  
Our Diet is Sawng & Homine.  
Drink, juice of the Apple, Tobaccoe's our Staple,  
Gloria tibi Domine."

This is not a flattering description of the land of his adoption, nor does its writer ever wholly cease to be a critic of Maryland and its people.

Beginning with a letter of July 28, 1745, there is a series of them which contain references to something which must have been a very pleasant event in his life, that is, the coming of the Rev. Thomas Bacon, that ornament of the colonial clergy, celebrated chiefly as the compiler of the great work which is inseparably connected with his name and fame, Bacon's *Laws of Maryland*. The first mention of him is in these words—in a letter to one of his brothers in the "Island":—

"This Mr. Bacon you speak of I suppose is brother to Mr. Anto. Bacon who kept a store on this River and is now a Merchant in London, for I heard that one Bacon, a Brother of his in Dublin who wrote a Book of Rates, was expected in this Country after getting orders in London to be inducted Parson of our Parish, and that he had another Brother in Dublin who kept a Coffee House."

And in November, 1745, he writes as follows to his friend, Billy Tear of Douglass, where he had formerly lived in the Isle of Man:—

"I should have pass'd for a tip top Musician if the Revd. Mr.

Bacon had not come in, he handed me your Letter & some others from Douglass, immediately upon landing he found the way to our house & stay'd with me abt.  $\frac{1}{2}$  day. He has been to see us several times since, & at our parish Church he has given us several Sermons which have got the better of most of the Audience—there are a few blockheads who have aspersed his & his wife's characters, but as he will always be known to the best of people, what the fools say will not hurt him. He is a very agreeable Companion, & a sober & learned Man. His performance on the Violin & Violincello has afforded us much delight & his Conversation as much. I have a pretty sett of Musick & he has still a better. We have a Brute of a Parson here in our parish, & the Vestry & people would be glad to turn him out to make room for Mr. Bacon, but the latter will not be concern'd as he compassionates the others misfortunes. We shall prevail on him at last to accept a good salary. The ordinary sallary wd. not be much but the extraordinary Subscriptions he wd. get if he wd. stay with us would be worth his while. He has in a very little time got the Esteem of numbers of our best People; He is still a Neighbor, but I am afraid he will leave us as soon as a vacancy in some other part of the Province offers for him."

A week later he writes to another brother at home on the same topic :—

"I received with Pleasure yours of the 18 June wch was handed me by the worthy Mr. Thom. Bacon, whom I am in great hopes we shall retain among us, he is very much esteem'd by the best of our people, & almost universally, he is a clever fellow, & I believe a good Man. We have several consorts (*sic*) together & may have frequent opportunities to divert ourselves that way. He is receiv'd Curate of this parish & is allowed by the Parson who is an Invalid 20 thousand pounds of Tobo. per An. with the perquisites wch may amount to 5 or 6 thousand more, wch is a very good Living, & when the old parson dies, wch he will in a very little time, I hope he'll get the Birth, it is abt. 50 thous'd pd. Tobo. per An. wch is worth in the Country one year

with another £500 paper money or £350 stl. & as Parsons are allow'd to trade with their Tobo. if he will ship it to England, it may produce as much more per an."

And next year his enthusiasm is as great as ever, for he tells his friend, Billy Tear, that Mr. Bacon is "a very considerable Man here & in great Esteem with every great Man from the Governor to the Parish Clarke. I am very happy in his Conversation & friendship, & so is every one that is acquainted with him. I have sent you inclosed a Couple of his Minuets wch are excellent."

Mr. Bacon scarcely had time to get settled as curate of St. Peter's when Mr. Maynadier died, and he was inducted in his place as rector of the parish. Before a year was out it became necessary to enlarge the parish church at Whitemarsh by one half its former size. About this time in a letter to his friend Mr. Henderson, Callister says, "I presume you have been acquainted, in the Island, with Mr. Thomas Bacon. He is now our parson, and I think him the worthiest clergyman I ever knew, not excepting the Bp." The prelate here referred to is Dr. Thomas Wilson, Lord Bishop of Sodor and Man, the author of the *Sacra Privata*, a famous book of devotion, and a sort of divinity among his Islanders. Mr. Bacon's popularity is unabated as times goes on, and he is found living next door to Callister in Oxford, six miles from the parish church at Whitemarsh. When, a year or two later, Callister moves his abode to Head of Wye, Bacon likewise removes to the now almost forgotten town of Dover in Talbot County, only twelve miles distant from his friend. Thus the intimacy was kept up between the fellow exiles from the Isle of Man.

The previous history of the industrious compiler of Maryland laws is not very well known. It is certain, however, that he was a clergyman by conviction and not for the reason that he had tried and failed at everything else. Born in the Isle of Man sometime about the beginning of the century, he was in all probability educated for the law or the civil service. As early as 1737, while a resident of Dublin, he had published a volume by official order,



entitled "A Complete System of Revenue in England." It was said to be a valuable and useful work. After the period of his Dublin residence, he seems to have spent a few years in travel and study, and almost nothing is known of him until the year of his preparation for Holy Orders and his ordination in 1744. He was trained and ordained to diaconate and priesthood by the well beloved Bishop of Sodor and Man, and the next year he set out for Maryland, where he had an appointment as Chaplain to Lord Baltimore.

It is necessary briefly to sketch the affairs of Europe during this decade from 1740 to 1750 in order to arrive at a proper understanding of the lesser drama being played in Maryland. On the Continent the War of the Austrian Succession was raging, and as one consequence, French and English were at each other's throats wherever they met throughout the world. And as ten years later, the Seven Years War had its American phase in the French and Indian War, so in 1744 at the outbreak of the European disturbances, the English colonies in America began to make preparations, offensive and defensive, against their neighbors in Canada. The Callister letters are replete with incidents of the following years of predatory war. The reader hears from an approving contemporary the incident of Benjamin Franklin, the printer, forming a militia company in Philadelphia in spite of the opposition of a Quaker government; of Indian treaties; of engagements by land and sea; of hopes for victory, and not least, of the writer's contempt for the part played in the conflict by the Province of Maryland. In the year 1745, he finds Callister, the Whig, rejoicing at the defeat of the Stuart Pretender in the Jacobite Rebellion of that year. There was no "Charley over the water" sentiment in his make-up.

The following extracts from the letter books tell their own story:—

Oxford in Maryland, 25 November, 1744.

"Immediately upon the News of your having declared warr against France in England we did the same in Maryland, & a pretty condition we are in for warr. I hope our Neighboring

Colonies will fight for us North & South, & the Indians have promised us they wont let the french come down upon us on the West. But I believe there will be no attempt made upon us, our poverty will protect us."

(Postscript to another letter of same date):—"I have sent enclosed a Treaty lately concluded with the Indians, which will give you some insight into the Genius of those people we brutishly call savages. I hope it will be entertaining to you & your friends."

The following paragraph written nearly a year later is amusing and of interest to the students of the period :—

4 May 1746.

"Our Parliament had a sitting lately, they did no business but to grant 100 pounds stl. to be given the Indians to engage 'em on our side against the French, who it is said have been tampering with them. The meanness of the Present, Bribe or subsidy, whatever it may be term'd is matter of ridicule to our neighbor Colonies, the Pensilvanians say it is intended to furnish the Indians with jewsharps, & the Virginians call it a present of an Indian Tomhawk, but as the Governor more seriously expresses it in his Speech at breaking up of the Assembly, "they have put the Province to £600—Expense to give £100—to the Indians," & desires them to consider the absurdity of it at their next meeting. There's a great deal of bad blood between them, which hinders their doing of business."

Two months after the fall of Louisburg, he writes :—"We expect to be masters of Canada in a little time. We have raised 300 men in Maryland to join the New Englanders. We furnish'd them a good part of their Cloathing, the Manks Cloth & . . . is the Livery, faced with red & blue half thicks. I don't think there's above a score of the Natives or Country Born in these three Companies—the remembrance of the Spanish massacre is terrible to them."

In another letter of the same date, he is still more caustic in his comments. "We are indeed," he writes, "a parcel of mean spirited fellows in this Province. We muster but 300 men towards the expedition & but abt. a score of them Marilanders, —they are still worse in Virginny."

That he was not a mere critic, however, the following sentence tells:—"I was the first that beat up for volunteers & in 1/2 hour got 15 men, it was 15 da. before they got 15 more."

In justice to the Province, however, it should be said that Bancroft's figures for the New England detachments are not greatly in excess of these of Maryland. Connecticut sent five hundred and odd men to Louisburg, and New Hampshire but three hundred and four. Canada was too far from Oxford for a great deal of enthusiasm to be expended upon its capture, but Callister saw that it was most decidedly to the interest of Maryland that the war should be brought to a close as soon as possible.

With a truly British assumption of being in the confidence of the Deity, and not disdaining a pun, he writes as follows:—"M. D'Anville has been with his Squadron on the N. England Coast but has felt the hammer of Providence on his head: as Providence has had a visible hand in our Successes on this Continent, it would not suffer its designs to be frustrated, which were I hope to put so beneficial a Trade into the hands of a people more deserving than the Usurpers of universal Tyranny."

As late in the war as April, 1748, he is still wrought up over the inertia of a colony dependent almost for existence upon its export of tobacco:

"If they shd. attempt this Province, we are but in a poor Condition to make head against them. But before they can come at us they must clear a passage thro the neighboring Colonies, & we imagine our Friends are sufficient to withstand them, therefore we are easy, & all we contribute is fine words & good wishes."

The Maryland planters were more nearly affected by this war than is at first sight apparent. It was the beginning and the end

of the Eastern Shore tobacco trade, and the reader can follow from year to year its steady decline in the letters of the Cunliffe's agent in Oxford, for the burden of his writing and its reason for being was the buying and selling of the staple. There were certain unusual features in the Maryland Trade which made the French War more harmful to it than to that of the other southern colonies.

For some reason, climactic or chemical, the Maryland crop consisted largely of what is known as the Oronoco tobacco, a heavy, dark, strong flavored leaf extremely unpopular with tobacco users in England. Almost the entire Maryland crop and a good part of the James River product was sold to France where it was in demand by the French East India Company, a royal monopoly which operated four great factories in as many cities in that country of smokers and snuff users. The French company, being a monopoly, was represented in England by a single buyer, who if he were clever, and he generally seems to have been so, could play one merchant against another until he forced the price down to as much or as little per pound as he cared to give for it. As early as 1728 this procedure began to be a great burden on planter and seller alike, and in that year an association was formed by the London merchants, the object of which was to name an average price, three pence per pound, beneath which no one of them should sell to the French agent. The proceedings of this body were presented to the people of Maryland in a pamphlet by Henry Darnall, printed by W. Parks of Annapolis in 1728. This "Just and Impartial Account," etc., a transcript of which is in the possession of Mr. Clarence P. Gould of this Society, is a most reliable source for the history of the Maryland tobacco trade. Unfortunately the merchants failed to hold together as agreed, and once more and finally the French agent had his will of them.

Of course, the merchants suffered greatly from these methods, but as the duty was remitted on tobacco reexported to France, they had some alleviation. The planter, however, had no such relief, and it is easy to see that on the Eastern Shore anyhow the culture of tobacco was doomed. The two long wars with France, scarcely five years apart, during which all traffic save that of the

smugglers was at an end between that country and England, hastened its extinction by many years. A commodity could not long hold its place which had to contend against a small market in England, a closed market in France and the high insurance which was demanded on account of the French privateers. The Eastern Shore planter gradually began to find grain more profitable than tobacco, wherefore he planted grain in its stead, but before the transition was complete there was to be much ruin among planters and merchants.

A curious survival of old custom is found in the fact that the bulk of the Maryland crop of today is shipped to France for French consumption, and probably the government monopoly still gets it at its own price. In spite of Revolutions, falling dynasties and a thousand changed conditions in both countries during the two centuries, this ancient trade between them has gone on in a steady and unfailing, howbeit an almost forgotten, current.

With this outline of the situation in mind there are found to be fewer puzzling things in the steady decline of the trade as shown in the Callister letters, the writer of which was finally caught in the downfall of King Tobacco. In 1744, however, he is concerned chiefly with the necessity for an inspection law for the protection of all parties in the business. In August of that year he writes, "The large quantities of bad Tobacco exported here must be without doubt discouraging, & ruinous to the Trade, the greatest comfort we have with regard to the quality of it, is that we are assured our neighboring Factors ship a great deal more of the same sort." There is so much dissension in the Assembly that the inspection law will not go through, but "in the meantime Mr. R. Morris has made a law to his receivers wch may answer the end as well, for an Inspection Law would intitle the Tobo. to a price, whereas this makes no alteration that way, it only fits it for the market."

A year later the outlook is better, for he writes to his employers: "I daresay you will meet with very little bad Tobo. this year—most of the planters are yet as great knaves as ever, but the receivers are not so, they refuse I believe 1/3 part as much



as they receive, and the Planters cull it over again and get sometimes a hogshd. of good out of 2 or 3 bad." It is evident that Morris' regulation was effective, and it is said that it was his influence which secured the final passage of the Inspection Law of 1747. Without a doubt the colonial parsons who complained of their '30 per poll' being paid in 'trash' tobacco had a just ground for grievance, for the planter would be fairly sure to pay them from the two or three hogsheds which the receivers refused to pass upon.

There seems to have been perpetual warfare between the factor and the planter. Callister must sometimes reject half a man's crop and give him a very low price for the other half. The Planters thought Mr. Callister a hard bargainer, and Mr. Callister thought them a lazy, shiftless, unreliable lot, some of whom were manageable, he says, only by "much dissimulation if not downright lying." "It's a sad thing," he complains, in a letter of the fall of 1746, "to hear the Planters cursing us continually (*erased* "for fixing the price of their Tobo"). We advise 'em to curse the King of France, they'll do that readily, but at the same time it does not lessen their spleen agt. us, but we have the advantage of them & our shot seems to take place while theirs fly over our heads. But I am sure it will not hold long, for they must be forced to leave off making Tobacco." He says that the planters have as great "an aversion to bonds & settlements as to Fever," and is very emphatic in the remark, "I never knew a good honest Marylander that was not got by a Merchant."

There is a great deal more in these letters than it is possible to quote here about Inspection Laws, the prices of tobacco, lumber, "melasses," rum, cotton goods and all the articles in which the Maryland Trade busied itself. To one interested in the economic history of the state, Mr. Callister's letter books are even more illuminative than they are in other connections.

The personal affairs of Henry Callister are worthy of a moment's attention. As one would expect, there are in his first years of exile, times when he longs for the faces and things of home, and the reader of his letters is hard indeed who does not feel sympathy for the young man begging his friends to send him

some English song birds, or more frequently, some Manx wild flower seeds, no matter how common the variety. He does his part in a rather one-sided correspondence with certain ones in the Isle of Man, notably his brothers, Evan, Hugh, Robin and Anthony, and his friends, Mrs. Dufour, Mr. Billy Tear and one William Henderson, who signs himself "The True Blew Independent Whig." He loves the "Island" and its people, but his ambition is greater than that of even its largest merchants. Hence his exile and bonds. But in spite of his long absence from them he remains the head of his family and the adviser of its various members and his and their friends. They all run to him for financial help and counsel, and send their black sheep to him for bleaching. They never find his purse strings so tightly drawn, that he cannot open it for their necessities, and in spite of discouragements he is always ready to take their wild youngsters into his house in the endeavor to make men of them.

As time goes on, however, his "false friends" at home seem to forget him, and he rarely hear news from there save it be bad news. One lady spread the report that he had jilted her, but he settles that matter by writing to the friend who has sent him this bit of gossip—"I declare before God, I never to my knowledge as much as told her I loved her, wch is a preliminary indispensably necessary to such engagements."

His experience with one of the young men whom he tried to make into a merchant is amusing. Of this lad, he wrote that "he had such an itch for giving, that pressing me frequently to accept of a sett of fashionable silver vest butts. I at last in order to prevent his giving them to some other accepted of them, & made him in return a present of the same butts. upon wch I thot. he would keep them, as gifts seem to have that sanction. But since his departure I have been credibly inform'd he shott them every one as bullets at wild Ducks, & one of them was found lodged in the Body of a Duck he kill'd." The penny saving factor intent upon bettering his family fortunes could not understand this sort of prodigality.

When the days of his indenture had been fulfilled, Callister agreed to become Mr. Morris' assistant for a year from that date,

February, 1747. He writes to one of his brothers :—"I have accordingly agreed with him from year to year (for I have enough of bonds) at £35 and the privilege of 4 hhds. of Tobo. portage." In another place he congratulates himself that ten pounds in America go as far as forty in England, and a little later he confides his future prospects to one of his correspondents in these words :—"As to the head place here, it is a place of great profit indeed, & I without doubt must expect to succeed to it, but while it is filled by the persons now in it I am quite satisfied & very well." He is a faithful servant to the Cunliffes, always considering their interests before his own, and before long he has established a fine reputation with them for exceeding industry and commercial probity. Of his honesty and worth he is frankly conscious, but he is one of those persons who can be self-appreciative without giving offense.

In the summer of 1747, his indenture having become a thing of the past, he is sent to establish a store at Head of Wye, a strategic point half way between the other two Cunliffe factors at Oxford and on the Chester River. Here, in spite of the fact that the ground was already well occupied by stores, and of other adverse circumstances, he by very severe labor succeeds in making good his firm's footing. He is beset by "Fevers and Agues" in this place, and writes to one at home :—"If I am so unhappy another year, I'll rather take up with a state of indigence than suffer a third." His stay there is made tolerable by a very happy event in his life, his marriage to a lady who as it turned out was the only lasting treasure that he acquired on earth.

On the first of August, 1748, he announced to one of his correspondents the news of his successful venture and a further step which he had previously deferred :—"I have taken Wife—like a good Christian & am become a *Natural of the country* or Country born as some call themselves." And later to another friend, he is more explicit : "O strange revolution," he writes, "I am a husband, I am married to your favorite Sally Trippe."

This lady was Sarah, daughter of Henry Trippe II, born in the year 1731. She was married to Henry Callister June 11, 1748. Of their six children, the only boy died in infancy, and three of

the daughters either died in youth or remained single. Of the other two, Margaret married John M. Kennedy and became the mother of a line of naval officers of that name; Elizabeth Emerson married St. George Peale, the brother of Charles Wilson Peale the artist, and had two children who died unmarried. The following sentiment from Henry Callister a few months after entering upon matrimony is the sum of his marital experience:—"Without that one article Love, if you were the greatest man in England, I should only think you the greater wretch."

About this time Callister describes himself as being in as good a condition for trading as any in Maryland except his masters. This is evidently a period of prosperity with him, for he spent considerable money on his housekeeping arrangements. He expresses it very emphatically by saying that "my furniture alone at one slap cost me upwards of £100 sterling." He has £40 a year salary, the free portage of 4 hogsheads of tobacco yearly, the privilege of £100 private trade a year and the right to take what goods he needs from the store at prime cost. None the less he complains that he has been eight years in Maryland and is not worth a groat.

During these years his intimacy with the Rev. Thomas Bacon continues. A musical society of which they are moving spirits, meets regularly at the houses of different ones of its members, and both Callister and Bacon seem to be versatile performers, the latter having in addition, a very pretty talent for composing. They are associated also in an almost forgotten project which reflects greater honor upon the philanthropy of Mr. Bacon than his book of Laws does upon his learning and industry, that is, his *Charity Working School*, the only institution in colonial Maryland solely for the education of the poor of all races.

Mr. Bacon had set an example in the Province in regard to the Christian education of negro slaves which was not generally to be followed by either clergy or laity for many generations. It was probably his work among the negroes which led him to the project of founding a sort of manual training or industrial school for poor children. In a subscription paper circulated in 1750, he remarks upon the "profaneness and debauchery, idle-

ness and immorality . . . especially among the poorer sort in this province," and asks for yearly subscriptions "for setting up a Charity Working School in the parish of St. Peter's, in Talbot County, for maintaining and teaching poor children to read, write and account, and in instructing them in the knowledge and practice of the Christian religion, as taught in the Church of England." A few months later he had secured from a goodly list of subscribers, among them the Proprietary and Lady Baltimore, Cecillius Calvert and Bishop Wilson, a sufficient sum for the running expenses, and in the course of a few years his subscriptions permitted the purchase of one hundred acres of land and the erection of a substantial brick home and school. Thus in the year 1755 and for many thereafter Talbot County boasted a fine charity school, but thirty years later, when Bacon and nearly all the original Trustees were dead, it was turned over to the County for use as a poorhouse. The institution seems to have been born before its time in so far as Maryland was concerned. Mr. Bacon's satisfaction in the success of his work must have been sadly tempered in the next two years by the successive deaths of his wife and son, the latter just approaching manhood. In this sad state we must leave him now, and go back some years to a dramatic event in Oxford, nearly affecting all of the little group of persons whose lives we are inquiring into this evening.

One night in the summer of 1750, Mr. Robert Morris, the story says, dreamed that on the next day he would be fatally injured by the wadding of a gun fired in his honor as he left the side of a full laden, homeward bound ship of the fleet of Foster Cunliffe & Sons. So impressed was he by the dream that he asked the captain of the vessel to omit the usual salute on that day. After some talk it was agreed that the cannon should not be discharged until the factor's rowers had carried him so far from the ship's side as to render it impossible for such an accident to occur. But by some mistake of a signal, the gun was fired too soon, the wadding struck him on the arm and wounded him so severely that he died a few days later. That salute was in truth, as his epitaph says, "the signal by which he departed." His death in the prime of his powers was a serious blow for the



Maryland Trade in general and for the town of Oxford in particular, but Captain Banning was unphilosophical in attributing to it the decline of that city.

The following extract from a Callister letter to Robert Morris of Philadelphia many years later, must constitute a last view of the "most accomplished factor in Maryland":—

"He seemed at the first for some time my enemy ; but it was a mistake ; before his unlucky death, I am much mistaken if, barring that cursed accident, he would not have preferred my friendship in his last days, as indeed he made a beginning which, however, produced more profit to Messrs. Cunliffe than to him or me.

"You are perhaps yet too young to read lessons of mortality. I shall not plague you with them. I shall only tell you that I was the last that spoke to your father and the last that heard him speak (for I make no account of two or three old women in the chamber). At his request, I read him Plato's *Phaedo*, with which he was extremely pleased, and I am confident he died with less pain than he would have done without that. I have the last place in his will, but it was written before he contracted friendship with me—and his death was too sudden."

A portrait of Mr. Morris by Gustavus Hesselius, a copy of his will, his epitaph and other items of interest concerning him may be found in that volume of Boogher's *Miscellaneous Americana*, already referred to.

Upon the death of Morris, John Hanmer succeeded to the Oxford factorship, and Callister was promoted to the latter's place in charge of the Chester River store. His stay there was not more than three or four years in duration, and most of his letters for that period are missing or of little interest. The one item that has any historical, social or economic value is the terse statement made in July, 1751, that "Tobacco is damned dear now."

About 1754, Callister came back to Oxford as chief factor of the firm which by the death of Foster Cunliffe had become Sir

Ellis Cunliffe & Brother. He is still the faithful servant of the English house, but more and more he is taken up with his private ventures. He is tremendously busy, but we find that he still has time for the duties of friendship, and there are some entertaining letters from Mr. Bacon, which serve the double purpose of giving the reader a pleasing social picture and a glimpse into the charming personality of the writer.

It is decidedly worth knowing that the editor of that ponderous volume of Laws with which one unconsciously associates him was human enough to chew tobacco, to give dancing parties and sometimes to tease his wife. It should be said that this was his second wife, a daughter of Colonel Thomas Bozman. Bacon's marriage to her after her divorce from a bigamous husband involved him in endless litigation and gave opportunity for his enemies to spread evil reports to his injury. A letter which the heavy hand of time has abbreviated, contains a peremptory invitation to a party which was doubtless of the most pleasant sort.

"HENRY CALLISTER,

Sir—

You and your Wife are hereby required to appear personally at my Habitation . . . Choptank on Friday next at or before the usual (hour for dinner), to assist at demolishing a Sirloin of (beef), &c., &c., which shall then and there be ready. (We shall) spend the Evening in Music, Chat, Cards, or (whatever) amusement (as) to the Company shall seem In o(r)der. You are permitted to bring your dancing Pumps, (and prepare for an evening) of Mirth and good fellowship. . . . Of all which you are not (to fail to perform) on peril of wanting Tuberoses, Eagle Flowers and Importance for the Decoration of your Garden this (summer).

Given under my hand, etc., etc.

THOS. BACON.

Can't you & yr Wife come up on Thursday, and we can spend the evening snugly together without Interruption?"

Another letter to Oxford some time later relates wholly to housekeeping matters, and it might have been written by a Maryland country gentleman of today for any difference that it depicts in manner of living between then and now. It is to Mr. Callister.

Dr. Sr.

I want three Groce of Corks and a good Garden spade per Bearer, what my Wife wants shall be set down in Course if that can ever be known or found out, for such are the Wants of Ladies it takes them a good while to consider & recollect what they are & when the Letter is dispatched they generally discover many wants more—Imprimis, some Colly Flower Plants, some off-setts of white Currants,—two sheets of yr largest Pins, Parsley seeds, Melon seeds, Beans & Pease, Parsnip, Turnip, Radish, &c. Any garden ware fit for planting.—I thought I had done but my wife cries—Oh! Butter, honey, don't forget Butter!—you know we can't get any here for Love or Money, and may be Mr. Callister can spare you a few pounds.—Well, to finish, Compliments in general, Good wishes and cordial Friendship in particular with great Esteem concludes me,

Yrs. &c.

T. BACON.

Soon after this in 1758, Bacon left Talbot to become rector of All Saints Parish, Frederick, the largest and richest parish in the "three counties," to use a Maryland expression recorded by Callister as meaning the whole Province. It was said by Eddis a few years later that this parish was worth one thousand pounds sterling a year. It is no wonder that Bennet Allen left no expedient untried until he had become its incumbent.

The single item of interest that can be found relative to Bacon's rectorship of All Saints is a letter to his vestry proposing the formation of a charity school for negro girls and outlining a plan for a system of Circulating Schoolmasters throughout Frederick County. From various sources, it appears that he met with the same popularity here that had been his in Talbot, and that he

was in the same degree the father of his parish. But the chief labor of his years in Frederick was the preparation and publication of that work which, having outlived its usefulness as a practical legal code, has become the greatest single source book of Maryland history. This, of course, is the *Laws of Maryland*, published by Jonas Green of Annapolis in 1765. The paper and types were imported from England, and it is said to have been the handsomest piece of bookmaking from an ante-Revolution press. It is certain that few books of greater beauty of execution have since been printed in America for general circulation.

The first intimation of his labors on this great work appear in a letter from him to Henry Callister of March, 1757. It is a sad letter, written at a time of persecution, and its tone is in sharp contrast to that of the previous ones here quoted. A part of it must suffice:—

“I write to you with the Freedom of a Friend, as I shall always stile you, though God knows, few are the Friends I have now in the World. If you have any good News by your Ship, on whose Arrival I wish you Joy, please let me have a Sketch of it; if bad, keep it to your self, for I have had no other for some Time past, and begin to be heartily tired of it. I would not write to you on such a Scrap of Paper, if I had plenty as formerly; but the Man without Money or Credit must do as he can. Musick is departed & gone into another World from me. The Laws are my only Employment and Amusement, yet they are a dry sort of stuff, and sometimes apt to stick in the Throat.”

By this time the two or three previous editions of the Maryland laws were out of date and largely out of print. Neither the parson, the justice nor the attorney knew just where he stood on a point of Provincial law without a trip or a letter to Annapolis or some other place where had been preserved the yearly issues of Acts of the Assembly. There was a real necessity for a book which should give under one cover the title of every act since 1638, printing in full such laws as should be in force at the time

of publication. Bacon's proposals for such a work, however, we learn from the Sharpe correspondence, were coldly received. The political party called the Patriots held that certain laws had been rescinded, and attacked Bacon for his proposed inclusion of them in his book. Mr. James Bisset of Baltimore seized the opportunity to publish his wretchedly printed "Abridgement," a work not in the least trustworthy, but for which, owing to the political situation, he obtained subscribers enough to impair seriously the sale of Bacon's work. But the latter's friends, notably the Proprietary, Governor Sharpe and many of the first men of the Province supported him with such generous donations that the work was finally issued in 1765, a monument of conscientious labor and pains for which the Province and State of Maryland are under a lasting debt to him.

Three years later, in 1768, Mr. Bacon died, leaving a widow and three daughters. He made his mark deeply enough in the institutions of his day and place to cause men in after years to expend great pains in learning what manner of man he was. The consequence has been that he cannot be forgotten as long as there are found any interested in the early days of Maryland. Full and interesting accounts of his life and work are to be found in the Harrison Collection of Papers Relating to the Religious History of Talbot County (Md. Hist. Soc.), in an article by Dr. Ethan Allen in the *American Quarterly Church Review* for October, 1865, and in an article by Dr. B. C. Steiner in the *Independent* for August, 1899.

Returning to Mr. Callister of Oxford in the year 1755, we find him engaged in a work of charity which appeals to the imagination of everyone who has followed the stricken Evangeline in the search for her Acadian lover. One of the first steps of England in the prosecution of the French and Indian War was the seizure of Nova Scotia and the transportation of its supposedly neutral Acadian inhabitants to various parts of English America. About nine hundred of these unfortunates were brought to Maryland and landed principally at Baltimore, Oxford and Annapolis, and that the welcome they received corresponded exactly with the degree of pleasure they felt at being there is evidenced in certain



sentences from a letter of Mr. Callister to Anthony Bacon of London, enclosing an address to the Throne for the relief of the French Neutrals, as they were called. The matter is treated fully in Scharf's *History of Maryland* and by Basil Sollers in the *Maryland Historical Magazine* for March, 1908.

"These poor wretches," Mr. Callister writes in the latter part of December, 1755, "have been here at Oxford ever since the 8th current, and nothing yet has been done for them by the public. . . . Nobody knows what to do; and few have charity for them but myself." His interest took the form at this crisis of their fortunes of finding homes for them and supplying the destitute among them with food and clothing, and as his wards were Papists he met with some opposition at first, but afterwards received material assistance from many people of the neighborhood. A collection, to which Mr. Bacon contributed three times more than the rest of the congregation together, was taken up in Whitemarsh Church "for the relief of the poor, distressed French exiles of Acadia." The following address to Governor Sharpe witnesses very emphatically the nature and extent of Mr. Callister's services to these people whom he pitied in spite of his thorough approval of their dispersion as a necessary political measure :—

"We the undersigned, residents of Acadia, declare with truth that we have not received any provisions from the King since the 7th of December; and since our arrival here Mr. Callister has provided us with provisions, or by his means, until the present time (*Circa* Jan. 17, 1755). Our captain has declared to us that he had no more provisions to give us. We were reduced to die of hunger, saving the assistance of Mr. Callister. We can say with truth that he has saved our lives."

The greater part of these provisions and clothes came from the Cunliffe store, but it seems that the factor had to pay for them from his own purse. There is some interesting correspondence on this subject among the Callister letters.

About the year 1758 in the very midst of the French and

Indian War the Cunliffes determined to withdraw from a rapidly decreasing trade. Unhappily Callister and his masters must part with some bitterness. The separation seems to have torn aside the veil from all the accumulated grudges and jealousies of both sides during the seventeen years of their association, and in after years their relations were never quite as friendly and cordial as in former times. The American factor, invested with a great deal of responsibility and given a free hand by the necessities of the case often grew to be quite a personage in the trade, a condition not always pleasing to his employers.

Callister bought from the Cunliffes their store and plantation of Townside lying on either side of Chester River in Kent and Queen Anne's Counties. The dwelling and store were in Kent about twelve miles above Chestertown in the neighborhood of the village of Crumpton. Encouraged by a temporary rise in the price of tobacco, he went into trade with his whole capital, opening another store in Queen Anne's County.

Matters went badly with him almost from the first. Tobacco fell in price again, and the planters were giving up its culture. His friends in London politely refused to send him goods on the credit of what they saw was a failing industry, and as he could not get tobacco at a price low enough to make his profit, he very soon got into difficulties. He became involved in a series of petty lawsuits on all sides which soured his already quick and testy temper. Not Job had a more consistent series of misfortunes, and he visited his calamities on his neighbors. He describes the people of Kent as "more knaves than fools," and another time, says that "all trade is at a stand but that of Lawyers and hog-stealers." And again he writes, "we have no servants here but convicts, for fear of the insolence of honest men who cannot brook to be rebuked by the son of a convict, for such were our ancestors in general." Certain of his letters to persons who he conceived had injured him are the finest examples one will see in a long time of studied, deliberate insult, couched in the language and style of a better cause. Some of his flashes of temper are amusing, as for example this one in which he refers to his failure to sell some saddlery which he had on hand:—"I have that damn'd

article the sadlery still on my hands. I cannot hear from that Scoundrel I sold the whole to, and I care not much if the first news should be that he is hanged, unless he can give a better account of himself than my experience will justify." It is worthy of note, however, that in these years he never spoke of his wife without a note of affection, showing always a full appreciation of her excellence.

It is not pleasant to observe the evidences of his approaching failure. In 1761, in a letter to Governor Sharpe, he speaks of a "visible decline of the trade wherein I am embarked." The planters were not encouraged as he had hoped they would be by the high prices of 1759, and put in during the following years almost no tobacco. He says that in this year 1761, they raised scarcely more than one hogshead to a planter, and these had to be divided among many merchants. His whole capital was invested in a dying trade. "Losses by land & by water, in cattle & by mortality, by thieves, runaways, debtors, unfaithful servants, bad neighbors etceteras" made decided inroads on his little fortune. Finally after sinking nearly £2000 sterling, he gives up and "invites" his creditors. In December, 1762, he writes:—"I have forever shut up shop and begin to look down to the earth." The following portion of a letter to his brother gives in brief the whole story:—

"Before I quitted Messrs. Cunliffe's business . . . I joined with an adventure and we bought a fine schooner off the stocks and fitted out for the West Indies; she was taken into Martinico and never returned—soon after I bought at public sale this place of Townside in Kent County. . . . My situation was fine, my credit fresh and flourishing, every view favourable. But the evil genius of the Colonies had set off. Every honest fair trader fail'd more or less, on my right hand and on my left; I floated with the stream and before I gainde a penny, I sunk about two thousand guineas. I paid off all my debts in Maryland; but never shall receive those due to me. As soon as I perceived for certain that it was impossible to stand it, I invited my English Creditors and yet two years wasted past before I could obtain a composition. . . . I almost stopped the mouth of one with goods to the amount

of about 13 or £1500 sterling. . . . At length powers came in, and I resigned myself and my whole estate, real and personal; in consequence of my candor & integrity they gave me a very human composition, and agreed to acquit me on the security of a sum exquiel to about 500 guineas."

After the event here described, he built a house in Queen Anne's and moved into it, selling Townside for about half its value. The failure of an appeal to Governor Sharpe for an appointment to some public office brings out an item of some political interest:—"An Assembly man," the disappointed office seeker writes, "who votes, right or wrong, on the side of the Proprietary, if he wants the place himself, or for his relations; he must not be neglected." He tries to get employment as a factor, but fails in this as in everything he undertakes, and the letters end about 1768, their writer an impoverished, broken man, but still facing with some degree of courage the prospect before him. He died soon after this date, but just when it is uncertain.

The last act of the little drama shows the stage occupied by his widow, Mrs. Sarah Trippe Callister and her two widowed daughters, Mrs. Kennedy and Mrs. Peale. Each of them seems to be on her own resources, which fortunately enough consisted of a good education, industry and intelligence. They opened a school in Chestertown under the patronage of the Rev. Dr. William Smith. In 1784 they moved to Baltimore where they began a very exclusive school for young ladies in Mrs. Le Blanc's house on Charles Street near French Town. The rent was £60 a year, and before long they were forced to move to a still larger house. Their terms were very reasonable—one dollar entrance, four dollars a quarter and a "common Waggon load of Wood." Some of the fathers of their pupils were niggardly enough to ask a reduction if the daughters lost any time by absence. The younger widows died in the closing years of the decade, but Mrs. Callister retiring soon afterwards to Myrtle Grove in Talbot County lived there until her death in 1805, an event which closes the story of our Maryland Merchant, the gentleman to whom Bacon addressed a letter as "Henry Callister, Botanist, Florist, Philosopher, Musician, etc., etc."

ASSOCIATIONS AND ASSOCIATORS IN THE AMERICAN  
REVOLUTION.

COL. CHARLES CHAILLÉ-LONG.

(Read before the Society October 11, 1897.)

The Declaration of American Independence, adopted by the Continental Congress on the 4th of July, 1776, was the culmination or perfection of a series of Declarations by *Associations* organized both within and without the Continental Congress and throughout the provinces. An eminent historian having this fact in mind, has said that "the signature of the Associations by the members of Congress may be considered as the commencement of the American Union."

The first of the Associations to declare for American Independence was formed by members of the Continental Congress at Carpenter's Hall, in the city of Philadelphia, on the 5th of September, 1774. The Association, in its session of October 20, 1774, resolved unanimously that :

"To obtain redress of grievances which threaten the lives, liberty and property of His Majesty's subjects in North America, we are of opinion that a non-Importation, non-consumption, and non-exportation Agreement, faithfully adhered to, will prove the most speedy, effectual and peaceful measure ; and therefore we do for ourselves and the inhabitants of the several colonies whom we represent, firmly agree and *associate* under the sacred ties of virtue, honor and love of our country. That from and after the 1<sup>st</sup> day of December next we will not import into British America from Great Britain or Ireland any goods, wares or merchandises as shall have been exported from Great Britain or Ireland."

The second Declaration was made in the form of an address to the King by members of the Continental Congress in Association, and was dated the 26th of October, 1774.



Next came the Declaration of the people of Mecklenburg<sup>1</sup> County, North Carolina, who met at Charlotte in that State on the 19th and 20th of May, 1775, and by a series of resolutions declared themselves free and independent.

Following the Mecklenburg Declaration the members of Congress in *Association* addressed a communication to the inhabitants of Great Britain, dated the 6th of July, 1775, entitled :

"A Declaration by the Representatives of the United Colonies of North America now met in Congress at Philadelphia setting forth the causes and necessity of their taking up arms."

The following is cited to show the spirit of the Declaration :

"We fight not for glory or for conquest. We exhibit to mankind the remarkable spectacle of a people attacked by unprovoked enemies, without any imputation or even suspicion of offense. *They boast of their privileges and civilization, and yet proffer no milder conditions, than servitude or death.*

"In defense of the freedom that is our birthright, and which we ever enjoyed till the late violation of it ; for the protection of our property acquired solely by the honest industry of our forefathers and ourselves. Against violence actually offered we have taken up arms. We shall lay them down *when hostilities shall cease on the part of the aggressors and all danger of their being renewed shall be removed, and not before.*"

The Declaration which presents the greatest interest to the State of Maryland is that of the "*Association of the Freemen of Maryland*," and was dated the 26th of July, 1775, one year previous to the Declaration of Independence of the 4th of July, 1776. The Convention of Maryland met in Annapolis on the 26th of July, 1775. The first act was the adoption unanimously of the following resolution :

<sup>1</sup>The authenticity of this alleged declaration of independence has been much discussed of late years and the weight of opinion seems to be against it. The most important references to the subject are Wm. A. Graham's Address, 1875 ; George A. Graham's "Mecklenburg Declaration," 1906, and Wm. H. Hoyt's "Mecklenburg Declaration," 1907.—ED.

"That the *Association of the Freemen of Maryland* be recognized and that the proclamation of the same shall be recognized, and that the proclamation of the same should be subscribed by all patriots and become the written constitution of the provinces until succeeded by another."

The proclamation is as follows :—

"The long premeditated and now avowed design of the British Government to raise revenue from the property of the Colonists without their consent, on the gift, grant and disposition of the commons of Gt. Britain : the arbitrary and vindictive statutes passed under color of punishing a riot, to subdue by military force and by famine the Massachusetts Bay : the unlimited power assumed by parliament to alter the Charter of that province, and the Constitution of all the Colonies, thereby destroying the essential securities of the lives, liberties, and properties of the Colonists : the commencement of hostilities by the ministerial forces, and the cruel prosecution of the war against the people of the Massachusetts Bay, followed by General Gage's proclamation declaring almost the whole of the inhabitants of the United Colonies in name or description, rebels and traitors, are sufficient cause to arm a free people in defence of their liberty, and to justify resistance, no longer dictated by prudence merely but by necessity, and leave no alternative but base submission or manly opposition to uncontrollable tyranny. The Congress chose the latter, and for the express purpose of securing and defending the United Colonies, and preserving them in safety, against all attempts to carry the above mentioned acts into execution by force of arms.

"*Resolved*, That the said Colonies be immediately put into a state of defence and now support at the joint expense an army to restrain the further violence, and repel the future attacks of a disappointed and exasperated enemy.

"We therefore, inhabitants of the province of Maryland, firmly persuaded that it is necessary and justifiable to repel force by force, do approve of the opposition by arms to the British troops employed to enforce obedience to the late acts and statutes of the

British parliament, for raising a revenue in America, and altering and changing the charter and constitution of the Massachusetts Bay, and for destroying the essential securities for the lives, liberties and properties of the subjects in the United Colonies.

"And we do unite and associate as one band and firmly and solemnly engage and pledge ourselves to each other and to America that we will to the utmost of our power protect and support the (illegible) carrying on as well by arms, as by Continental *association*, restraining our commerce.

"And as in these times of public danger and until a reconciliation with Gt. Britain on Constitutional principles is effected (an event we most ardently wish may soon take place) the energy of Government may be greatly impaired, so that even zeal unrestrained may be productive of anarchy and confusion : We do in like manner, unite, associate, and solemnly engage in maintenance of good order, and the public peace, to support the Civil power in the due execution of the laws, so far as may be consistent with the present plan of opposition : and to defend with our utmost power all persons from every species of outrage to themselves or their property, and to prevent any punishment from being inflicted on any offenders other than such as shall be adjudged by the Civil Magistrate, the Continental Congress, our Convention Council of Safety or Committees of Observation."

This Declaration of the Association of the Freemen of Maryland, signed by the people of Baltimore Town, is preserved at Annapolis and until recently was assumed to be the only document of that nature.

Several years ago I was in Annapolis and with the knowledge that my great-grandfather's name was attached to a State paper of historical value, I was in the course of my researches shown by Mr. D. R. Randall, then Secretary of the Maryland Society Sons of America, the original document of the Association of the Freemen of Maryland. Mr. Randall courteously permitted me to have made the photographic copy which I have the honor to show you—being a reduction of the original. This particular proclamation is signed by sixty or more associators, all of whom

were distinguished members of the Maryland Conventions, or residents of the Counties of Worcester and Somerset, and is still in the possession of the Hon. John Wirt Randall. The names of the Associators add a page to the unpublished history of our State and merit mention, they are as follows :

|                           |                        |                 |
|---------------------------|------------------------|-----------------|
| Benton Harris             | John Selby             | J. Dennis       |
| Jos <sup>h</sup> Mitchell | Zach Purnell           | Levin Blake     |
| T. Bishop                 | John Portly            | John —          |
| Rob <sup>t</sup> Done     | John Bowie             | Peter Hall      |
| H. Y. Johnson             | Thos Purnell           | John —          |
| Joseph Dashiell           | Robert Dennis          | Samuel Summon   |
| Samuel Handy              | William Urie           | — illegible     |
| Peter Chaillé             | W <sup>m</sup> Merrill | — illegible     |
| W <sup>m</sup> Morris     | William Selby Jr       | Mitchell D —    |
| John Done                 | John Neille            | John —          |
| Josiah Mitchell           | John Townsend          | Daniel Farsette |
| John Purnell Robbins      | Robert Martin          | Yelverson       |
| N. Holland                | Major Townsend         | Samuel          |
| Jean Massay               | Levin Handy            | John C. Andrey  |
| W <sup>m</sup> Purnell    | — illegible            | James Quinton   |
| John Duval                | — illegible            | Samuel Jewett   |
| — Bennett or Burnet       | — illegible            | William Graham  |
| — Martin                  | Peter White            | — illegible     |
| — illegible               | John Gr——              | Moses Gothery   |
| P. Selby Martin           | W. Smith               | James —         |

It has been assumed until recently that but one original of the proclamation of the Association of Freemen of Maryland existed, namely, the one preserved at Annapolis, whose subscribers are from Baltimore Town or County. The proclamation for a fact consisted of several original texts addressed to certain Counties of the State, the subscribed papers being returned to the Convention with the names of the Associators. McMahon's *History of Maryland*, page 417, Vol. II, mentions an Original proclamation bearing the signature of "One hundred and twenty associators of Rock Creek Hundred of Cecil County."

In order to emphasize the supreme influence exercised by the Association of the Freemen of Maryland, it will prove interesting in that connection to cite the letter addressed to the people of Maryland by Governor Eden, and which was read in Council on the 20th of August, 1775. The letter reads as follows :

"Friends and Fellow Subjects :

"To men warm in the pursuit of liberty, it is necessary to prescribe bounds, and he can be no friend of his kind who views not even the excuses of such with an indulgent eye, but indulgence does not imply approbation.

"An *Association*, I am told, is gone forth calling on the Freemen of Maryland to testify their approbation of the opposition by arms to the British troops, as well as to engage and pledge themselves to *promote* and *support* the said opposition. This is no place to say what a conspiracy is, or what treason and rebellion are ; but I owe it to you to say this much at least that I would not for the world see the name of a man I esteem in the list of such subscribers. You do not want understanding and I will speak to it. Let me warn you, let me conjure you, to think for yourselves. Surely you must see that you stand on the brink of a precipice, a single step further and you are lost forever. There are already difficulties anew in the way of a reconciliation with the mother country. For God's sake do not increase them. Even yet it is possible all may be well, and Britons and Americans still be one happy people, and if I know at all the people, I have had the honor to preside over, to be so is the wish of all others the nearest your heart, and my consolation under a disappointment which yet I deprecate will be that when misfortune (the just consequences of your rash procedure) shall come upon you, as depend upon it fall surely they will, you did not fall into them without warning. I shall not add more except my hopes that God may direct you to do what is right."

Four months later, in January, 1776, Governor Eden was obliged to abandon his office and sailed for England on the "*Fowey*."



The Convention of Maryland, impatient of delay, formally proclaimed the independence of the province by a Declaration dated the 6th of July, 1776. The Declaration of Congress, though expected, had not yet been promulgated. The Declaration of the Convention was entitled: "*A Declaration of the Delegates of Maryland*," the first lines of which ran thus:

"To be exempt from parliamentary taxation and to regulate their internal government and policy, the people of this Colony have ever considered as their inherent and inalienable right, without the former they can have no property; without the latter they can have no security for their lives or liberties . . ."

\* \* \* \*

The *History of Maryland* by McSherry makes the following mention:

"The Members of the Maryland Convention of 1776 who framed the Constitution of the State. For Worcester County: Samuel Handy, *Peter Chaillé*, Smith Bishop, Josiah Mitchell."

Peter Chaillé was a resident of Worcester County, and was elected to the Convention early in 1775.

Under the authority of previous resolutions, the Convention met in Annapolis on the 2d day of January, 1776, and proceeded to ballot for the officers of the "Seven Independent Companies of Regulars." Among the officers chosen were John Watkins, Captain of the 3d Company; *Morey Chaillé*, First Lieutenant, *Solomon Long*, 2d Lt., *Uriah Forrest*, 3d Lt.

On the 6th of January the Convention met and elected by ballot the following officers: Henry Hooper, Brig. General Lower District Eastern Shore, *Peter Chaillé*, Colonel 1st Battalion for Worcester County, Joseph Dashiell, Lt. Colonel, John Done, 1st Major, Robert Done, 2d Major, George Martin, Quartermaster. On the 14th of January John Gunby was appointed a Captain.

In Congress, on the 20th of January, 1776, it was resolved "to collect all the gold and silver coin for special operations in Canada, and among those deputed to make these collections were: Messrs. *Peter Chaillé*, *Samuel Handy* and *John Done* for Worcester County."

The State was without credit at this time, and the Convention proceeded to raise subscriptions. In Scharf's *History of Maryland*, the following members of the Convention are cited as having subscribed to the common fund :

|   |         |
|---|---------|
| Charles Carroll of Carrollton, ten hogshead of tobacco. |         |
| St. Thomas Jenifer, paper money, . . . .                | £2,000. |
| John Winder, paper money, . . . .                       | 500.    |
| Peter Chaillé, paper money, . . . .                     | 750.    |

Every available thing was converted into money for the treasury, schoolmasters not excepted, if one may judge from the following advertisement which appeared in the *Maryland Gazette*, published at Annapolis, 17th of February, 1774 :

"To be Sold, a *schoolmaster* and indented servant that has got two years to serve, John Hammond, near Annapolis. N. B. He is sold for no fault any more that *we are done with him*. He can learn bookkeeping, and is an excellent scholar."

The chief power was confided to Committees of Safety, clothed with high powers but entirely subordinate to the Convention. Offenders could be banished from the province at the will of the Committee. Authority had no limit but discretion ; but the wisdom and prudence exercised attest the purity of those who administered it. There existed amongst the Colonists such a fund of public virtue as has scarcely a parallel in the annals of the world.

In January, 1776, Lord Dunmore, Comdr. of the British fleet, bombarded Norfolk, invaded Northampton and Accomac Counties on the Eastern Shore of Virginia, burning and pillaging and committing the greatest atrocities. In June, Gen. Howe directed a movement against Long Island, and was joined by his brother, Admiral Howe, in command of a fleet of 150 sail, making a force of 30,000 men. The American army, at that time under Washington, amounted to 17,000. On the 10th of July, Col. Smallwood's regiment of Maryland troops proceeded to the field. Six companies marched from Annapolis, three from Baltimore for the head of Elk river, whence they marched to New York and were

incorporated in Lord Sterling's Brigade. On the 20th of August, four Independent companies remaining in Maryland were ordered by the Convention to join Col. Smallwood and place themselves under his command, forming then a force of 1444 men. These troops, a part of the American army under Putnam, occupied the heights between Flatbush and Brooklyn, were confronted by the British army under Gen. Clinton. In the fight of the 26th of August, the loss of the Maryland troops upon whom fell the burden of battle, was murderous, nearly half of the force was killed or wounded. The battle is known as "Frick's Mill Pond" or "The Yellow Mills." Here is a letter from the Maryland Deputies to Council of Safety, dated 20 Sept., 1776 :

"Gentlemen :

"Capt. Watkins waits on you by our advice with a *Return* of his company, by which it appears he has now here only thirty-seven effective privates and indeed several of that number appear to us not really effective.

"The men complained of not being furnished with blankets and *clothing* according to the engagements made with them, and from this ground, as Capt. Watkins *alleges*, the present discontent of the men originated. We have no certainty of getting the cloathing, though our endeavors shall be continued the officers have procured the blankets. Lt. Long goes to Worcester to endeavor to get the Deserters to return them to duty under an assurance which we have presumed to give, that on their immediate return the past shall be forgiven. *Capt. Watkins and his men, we are sorry to inform you, are on very ill terms, the Capt. has beat some of them, he says, he had great cause, they say, he had none.* Some of the men have said, nothing shall induce them to continue in the company under Capt. Watkins. We shall endeavor to keep the remnant of the company together under the care of the 3d Lt. until your orders can interpose, for though an *inquiry* seems to us to be necessary, it cannot be had here, if the Independent Companies should be regimented or even if the soldier *cloathes* can be got, perhaps order may be restored in the company.

\* \* \* \* \*

Colonel Richardson told W. P. that he lodged in the same house as Capt. Watkins, that he is addicted to drink, and his appearance at diverse times we have seen him bespeak it. Perhaps Colonel Richardson would not choose that what he said should be mentioned to Capt. Watkins.

"We are, Gentlemen, your most obdt. servts,

Tho<sup>s</sup> Johnson,  
W<sup>m</sup> Paca

Samuel Chase  
T. Stone

"By a letter this minute received from Gen. Washington, dated the 19th, we are informed that he expects a general attack on his lines."

On Dec. 9th, "Capt. Watkins resigned his Commission of Regulars, which was accepted by the Convention, M<sup>r</sup> Solomon Long was appointed Captain of the said company."

General Greene, in a letter to the President of Congress, dated March 16, 1777, says :

"The 1<sup>st</sup> Regt of Marylanders, commanded by Col. Gunby and seconded by Lt. Col. Howard, followed Washington's Cavalry with their bayonets, near the whole of the party fell a sacrifice."

"At the battle of Guilford, the 2<sup>d</sup> Maryland Regiment, which had been advanced to support the First, met the enemy but broke and fled in disorder. At this critical moment when the British were pressing on with loud shouts of victory, *Gunby* advanced, and wheeling met them with bullet and bayonet. His horse was shot under him, disabling him for the moment by the fall, but Lt. Col. Howard took his place." Scharf, *History of Maryland*, page 414, Vol. II.

McSherry says of the soldiers of the Maryland Line in the Revolution :

"No troops in the Continental army rendered better service, endured more fatigue or won greater glory than the Maryland Line.

"At *Long Island*, a fragment of a battalion shook with repeated charges a whole Brigade of British regulars.

"At *White Plains*, they held the advancing column at bay.

"At *Harlaam Heights*, they drove the enemy from the ground.

"At *Germantown*, they swept through the hostile camp with their field bayonets far in advance of the whole army.

"At *Cowpens* and at *Eutaw*, their serried ranks bore down all opposition with unloaded muskets.

"At *Guilford* and *Camden*, though victory did not settle on their banners, they fought with a courage which won the admiration and surprise of their enemies. Everywhere they used the bayonet with terrible effect. At least two of their Colonels, Williams and Howard, were considered as the best officers of their grade in the army. *Gunby*, Hall, Smith, Stone, Ramsay, and the lamented Ford, who died gallantly at the head of his regiment, were equal to any others in the whole Continental service."

On the 21st of April, 1788, Colonel Peter Chaillé was chosen among others a member of the committee delegated by the Convention of Maryland to sign and ratify the Constitution of the United States. This committee, to cite the language of the resolution, "*was selected as a body of men most favorably known to the country for their high character and enlarged views as shown by previous service.*"

The Convention assembled in Annapolis on the 28th of April, and adopted the following resolution :

"We, the delegates of the people of the State of Maryland, having fully considered the Constitution of the United States of America, reported to Congress by the Convention of Deputies from the United States of America held in Phil<sup>ad</sup> on the 17th day of September in the year 1788 . . . do for ourselves and in the name of the people of this State, assent to and ratify the said Constitution. In witness whereof we have hereunto subscribed our names :

George Plater, President

|                  |                  |               |
|------------------|------------------|---------------|
| Richard Barnes   | Nicholas Carroll | Richard Potts |
| N. Lewis Serva   | James Tilghman   | John Stull    |
| Donaldson Yeates | James Halliday   | Henry Shyrock |



|                           |                          |                         |
|---------------------------|--------------------------|-------------------------|
| W <sup>m</sup> Granger    | <i>Peter Chaillé</i>     | Richard Thomas          |
| Charles Graham            | John Chesley, Jr.        | Benjamin Edwards        |
| James Shaw                | G. A. Brown              | Abraham Few             |
| H. Hollingsworth          | Zeph Turner              | J. Richardson           |
| Samuel Evans              | A. Goldsborough, Jr.     | Matt Driver             |
| Osborne Sprigg            | John Stephens            | James McHenry           |
| James Martin              | Henry Waggaman           | George Digges           |
| <i>John Done</i>          | John Gale                | Alex. C. Hanson         |
| Tho <sup>s</sup> Sim Lee  | Charles Chilton          | John Seney              |
| Thomas Sprigg             | W <sup>m</sup> Tilghman  | W <sup>m</sup> Helmsley |
| Moses Rawlings            | Isaac Perkins            | Benjamin Hall           |
| Tho <sup>s</sup> Cramphin | Joseph Wilkinson         | W <sup>m</sup> Smith    |
| William Deakin, Jr.       | Daniel Sullivan          | J. Parham               |
| N. Hammond                | Joseph Gilpin            | Michael Jenifer Stone   |
| W. Paca                   | James Gordon Heron       | Edward Lloyd            |
| W <sup>m</sup> Richardson | Fielder Bowen            | George Gale             |
| Peter Edmonson            | W <sup>m</sup> Morris    | John Stewart            |
| John Coulter              | Tho <sup>s</sup> Johnson |                         |

Attest : William Harwood, Clerk."

The State of Maryland has yet a large debt to discharge in commemorating in marble the services of these grand men, Members of its Conventions and those patriots who under the name of *Associators* organized the *Association of the Freemen of Maryland*, and whose Declaration of Independence adopted as the Constitution of the Provisional Government precipitated, if it did not inspire, the Declaration of American Independence of the 4th of July, 1776.

NOTE.—It may prove interesting to add a biographical note with reference to Colonel Peter Chaillé, whose name and fame has been perpetuated in the Chaillé-Long family.

Col. Chaillé-Long's literary occupations during the several past years have necessitated his living in the Poitou, France, the ancient home of his ancestors.

Assisted by the distinguished Archivists, M. M. Richard of Poitiers, Meschinot de Richemond of La Rochelle and N. Weiss,

Secretary of La Société de l'histoire du Protestantisme Français de Paris, Col. Chaillé-Long has been able to trace the Chaillé family back to 1396. In 1462, André Chaillé was Mayor of Poitiers and was ennobled by Charles VII in the same year. Pierre, the son of André, appears on the rolls of the *Ban des Nobles* of the Haut Poitou as the Governor of the City of Niort, 1489.

Bonnaventure Chaillé (Count de Bessay), Seigneur de la Chevrotière et du Mouzeil, married Louise de Bessay, a distinguished Protestant family of that name. Bonnaventure embraced the Reformed religion and died in 1640.

Dr. Pierre Chaillé, the son of Bonnaventure Chaillé (Count de Bessay), married Marie Chevalier, by whom he had three sons, Pierre, Moise and Jacobus. Arrested in the Saintonge in 1691, on the charge of heresy and sedition, Dr. Pierre was incarcerated during three years in the prisons of La Trompette, Chinon and Loches, being finally released through the interference of the *Abbés* Cordomry and *Fénélon*. Accompanied by his infant sons, Pierre, Moise and Jacobus, Dr. Pierre Chaillé escaped to Plymouth, England, and thence went to America where we find Pierre and Moise located under the name of Peter and Moses Chaillé in Snow Hill, Worcester county, Maryland, in 1710.

Jacobus remained in Plymouth, dying there in 1760, as shown by a probated testament in Exeter in 1763.

Colonel Gunby, Majors Robert and John Done, Captain Solomon Long and Lt. Moses Chaillé, whose names have been cited, were members of the family of Colonel Peter Chaillé.

It is a singular coincidence that in the year 1862 I enlisted as a private soldier whilst yet a mere boy in the 1st E. S. Md. Regiment, not being aware at the time that my illustrious ancestor had commanded the 1st E. S. Regiment in the war for American Independence.

I should add that I was borne on the enlistment papers as Charles R. W. Long when it should have been Charles Chaillé-Long. A note in rectification was addressed subsequently to the Adjutant General of the U. S. Army and to the Adjutant General of the State of Maryland, in order to avoid confusion and in obe-

dience to the wishes of my honored father, who desired the perpetuation of the name of a grandfather who had stood high in the Councils of his State, and who had merited well of his country, for whose independence he had striven both as a soldier and a Senator.

"Colonel Charles Chaillé-Long was born in Princess Anne, Somerset county, Maryland, July 2d, 1842, son of Littleton Long of Chaillé and Anne Mitchell Coston, grandson of Levin Long and Margaret Comfort Chaillé, great grandson of Colonel Pierre Chaillé and Comfort Houston."—Records of Circuit Court for Somerset County, Maryland, Certified Feb. 24th, 1893.

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### KENT FORT MANOR.

BERNARD C. STEINER.

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The later history of that portion of Kent Island on which stood Claiborne's fort is of considerable interest. After the first settler was expelled, the land remained for many years in the possession of the family of Giles Brent, to whom the Proprietary gave it. Probably the bricks which I found on the site of the fort in 1903 were built into his manor house there (see Johns Hopkins University *Circulars*, No. 165, p. 41).

In 1782, William Brent of Virginia who then owned the Manor died, leaving Elinor, Daniel Carroll, and William Brent as his executors. The last named was also his heir at law. They sold the manor to Samuel Chew about May, 1785. Six months later Chew made a will, and in 1786 he died. He left the Manor to his wife Elizabeth for life, with remainder to his son Samuel Lloyd Chew. In 1787, the Manor, which contained 2005 acres, was divided and the south half deeded by Samuel L. Chew to his mother. The northern half contained three farms, the eastern of which was known as Long Point, and the central one as Indian

Point or Green's Creek. In 1789, Chew mortgaged the property to Charles Carroll of Carrollton, but he seems to have paid off the mortgage later. He died in 1796, leaving four children, Samuel A., Bennett, Henrietta Maria, who married Henry C. Schnebly of Washington County, and Elizabeth, who married first William Deery and secondly Eli Beatty of Washington County. In 1821, the two daughters granted their brother, Samuel, all their interest in Kent Fort Manor. Samuel A. Chew seems to have possessed the northern moiety of the Manor until March 6, 1838, when he sold Long Point Farm to one Thomas Murphy. This sale was followed by another on Jan. 4, 1840, of Indian Point to James Bright. In 1843, Samuel A. Chew died, leaving one son, Lowman Chew, who died childless and intestate about 1860, leaving five collateral heirs. One of these was Eliza C. Deery, his first cousin, whose unsuccessful suit to recover part of the southern moiety of the Manor was twice carried to the United States Supreme Court (*Deery v. Cray*, 5 Wallace, 795; 10 Wallace, 263). Mrs. Samuel Chew died in 1807, but before that she had sold her half of the Manor, on which had been Claiborne's fort to T. M. Foreman. He transferred it to Philip Barton Key, who gave a warranty deed for the land to Arthur Bryan on May 7, 1798. Bryan's estate was partitioned by the Chancery Court in 1802, and the Manor land allotted to his sister, Susanna Tait. In 1825, her son and heir, Robert Tait, sold the land to Richard Cray, his son-in-law, in whose family it remained until after the suit above mentioned.<sup>1</sup>

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<sup>1</sup>The attention of the author was called to these cases by Michael A. Mullin, Esq.

## A LIST OF THE SUBSTITUTES

PROCURED BY THE FOLLOWING PERSONS AND PASSED BY THE LIEUTENANT FREDERICK COUNTY AS  
PART OF THE QUOTA OF SAID COUNTY AGREEABLE TO THE LATE ACT OF ASSEMBLY.

| Date when passed,<br>1778. | No. | By whom<br>Furnished.  | Substitute's Name. | Time of Service.     | Name of who paid<br>the Bounty as pr.<br>Enrollment. | What Regiment<br>Enlisted in. | To whom<br>Delivered. |
|----------------------------|-----|------------------------|--------------------|----------------------|--|-------------------------------|-----------------------|
| April 21                   | 1   | Abraham Few            | John Day           | 3 years              | Col. Thos. Price                                     | Col. Thos. Price              | Col. Thomas Price     |
| 13                         | 2   | Philip Morningstar     | Nicholas Myss      | 3 years              | Ditto  | Ditto                         | Ditto                 |
| 18                         | 3   | Richard Potts          | John Baldwin       | 3 years              | Ditto  | Ditto                         | Ditto                 |
| 18                         | 4   | Hance Farley           | John McKinney      | D. War               | Ditto  | Ditto                         | Ditto                 |
| 18                         | 5   | Joshua Testill         | John Parker        | D. War               | Ditto  | Ditto                         | Ditto                 |
| 20                         | 6   | Henry Kunse            | Michael Hardman    | 3 years              | Col. Lodo. Weltnr                                    | German Rigmat.                | Col. Lodo. Weltnr     |
| 20                         | 7   | Lucas Fleck            | Henry Fisher       | 3 years              | Ditto  | Ditto                         | Ditto                 |
| 21                         | 8   | Peter Engles           | Nicholas Cammel    | 3 years              | Capt. Jona. Morris                                   | Gunby's Rigmat.               | Capt. Jona. Morris    |
| 21                         | 9   | Stephen Brunner        | George Brown       | 3 years              | Ditto  | Ditto                         | Ditto                 |
| 21                         | 10  | Peter Sully            | John Dalton        | 3 years              | Col. Lodo. Weltnr                                    | German Rigmat.                | Col. Weltnr           |
| 22                         | 11  | Peter Adams            | John Houlton       | 3 years              | Col. Thos. Price                                     | Col. Thos. Price              | Col. Thos. Price      |
| 22                         | 12  | William Dern           | Patrick Wryan      | D. War               | Capt. Jona. Morris                                   | Col. Gunby's                  | Capt. Jona. Morris    |
| 22                         | 13  | Robert Wood            | William Richey     | D. War               | Col. Thos. Price                                     | Col. Thos. Price              | Col. Thos. Price      |
| 22                         | 14  | James Morris           | Thomas Halfpenny   | D. War               | Col. Lodo. Weltnr                                    | German Rigmat.                | Col. Weltnr           |
| 22                         | 15  | Sannuel Flemming Junr. | Johnsey Morgan     | 3 years              | Col. Lodo. Weltnr                                    | Col. Rigmat.                  | Col. Weltnr           |
| 22                         | 16  | Thomas Neill           | Moses Foster       | 3 years<br>or d. war | Col. Thos. Price                                     | Col. Thos. Price              | Col. Price            |
| 23                         | 17  | Henry Barton           | Moses Foster       | D. War               | Capt. Jona. Morris                                   | Gunby's Rigmat.               | Capt. Morris          |



|          |    |                       |                  |         |                           |                  |               |
|----------|----|-----------------------|------------------|---------|---------------------------|------------------|---------------|
| April 23 | 18 | John Ransburgh        | Charles Fulham   | D. War  | Lieut. Jacob Gromet       | German Rigmat.   | Col. Weltner  |
| 24       | 19 | Levi Hughes           | Richard Clark    | 3 years | Capt. Jona. Morris        | Gunby's Rigmat.  | Capt. Morris  |
| 24       | 20 | Nicholas Dawson       | Richard Haylip   | 3 years | Col. Lodo. Weltner        | German Rigmat.   | Col. Weltner  |
| 24       | 21 | Jacob Hane            | John Hamilton    | D. War  | Lieut. Jacob Gromet       | German Ditto     | Ditto         |
| 24       | 22 | Peter Cramer          | John Spray       | D. War  | Col. Thos. Price          | Col. Thos. Price | Col. Price    |
| 24       | 23 | Christian Stoner      | John Smater      | 3 years | Col. Lodo. Weltner        | German Rigt.     | Col. Weltner  |
| 24       | 24 | Michael Crist         | Stephen McGraw   | 3 years | Ditto                     | Ditto            | Ditto         |
| 24       | 25 | Ignatius Elder        | Joseph Weigle    | D. War  | Ditto                     | Ditto            | Ditto         |
| 25       | 26 | George Clem           | Drue Reddley     | D. War  | Capt. Jona. Morris        | Gunby's Rigmat.  | Capt. Morris  |
| 25       | 27 | James Bird            | James Ashley     | D. War  | Col. Lodo. Weltner        | German Rigmat.   | Col. Weltner  |
| 25       | 28 | John Ross Key         | John Walton      | 3 years | Ditto                     | Ditto            | Ditto         |
| 25       | 29 | Jacob Barrick         | William Mummert  | 3 years | Ditto                     | Ditto            | Ditto         |
| 25       | 30 | Adam Shaver           | William Cartney  | D. War  | Col. Thos. Price          | Col. Thos. Price | Col. Price    |
| 25       | 31 | Jacob Michael         | James Murphy     | D. War  | Col. Lodo. Weltner        | German Rigmat.   | Col. Weltner  |
| 25       | 32 | Henry McClary         |                  |         |                           |                  |               |
| 25       | 33 | John Brunner          |                  |         |                           |                  |               |
| 27       |    | (son of Henry)        |                  |         |                           |                  |               |
| 27       | 34 | William Renner        | Henry Oyster     | D. War  | Col. Thos. Price          | Col. Price       | Col. Price    |
| 27       | 35 | Bostian Myers         | Timothy Cahill   | D. War  | Col. Lodo. Weltner        | German Rigmat.   | Col. Weltner  |
| 27       | 36 | Benjamin Hall         | John McNaley     | D. War  | Capt. Jona. Morris        | Gunby's Rigmat.  | Capt. Morris  |
| 27       | 37 | George Cramer         | John Hammersly   | D. War  | Col. Lodo. Weltner        | German Rigmat.   | Col. Weltner  |
| 27       | 38 | John Neill            | Richard Keen     | 3 years | Capt. Mountjoy Bayly      | Col. Gunby       | Capt. Bayly   |
| 28       | 39 | Roger Johnson         | Thomas Haldup    | D. War  | Col. Lodo. Weltner        | German Battn.    | Col. Weltner  |
| 28       | 40 | John Moore            | James Welch      | D. War  | Col. Thos. Price          | Col. Price       | Col. Weltner  |
| 28       | 41 | George Stricker       | Charles Hills    | 3 years | Col. Otho Holld. Williams | Col. Williams    | Col. Williams |
| 28       | 42 | Upton Sheredine       | Moses McKinsey   | 3 years | Col. Lodo. Weltner        | German Rigmat.   | Col. Weltner  |
| 28       | 43 | Henry Baker           | Joshua McKinsey  | 3 years | Ditto                     | Ditto            | Ditto         |
| 28       | 44 | Lodowick Lemmon       | John Temblin     | 3 years | Ditto                     | Ditto            | Ditto         |
| 28       | 45 | Jacob Shellman        | William Molnix   | D. War  | Lieut. Jacob Gromet       | Ditto            | Ditto         |
| 28       | 46 | Lodowick Kemp         | Roger Landers    | D. War  | Col. Thos. Price          | Col. Price's     | Col. Price    |
| 29       |    | (son Fredk.)          |                  |         |                           |                  |               |
| 29       | 47 | Godfrey Kephheart     | James Pack       | D. War  | Col. Otho Holld. Williams | Col. Williams    | Col. Williams |
| 29       | 48 | David Condon          | Steven Stevenson | 3 years | Capt. Jona. Morris        | Gunby's Rigmat.  | Capt. Morris  |
| 30       | 49 | Jacob Frushover       | Adam Mushler     | 3 years | Col. Lodo. Weltner        | German Rigmat.   | Col. Weltner  |
| 30       | 50 | Frederick Brandenburg | Gabriel Holland  | D. War  | Col. Otho Holld. Williams | Col. Williams    | Col. Williams |

| Date when passed,<br>1778. | No. | By whom<br>Furnished.            | Substitute's Name.  | Time of Service. | Name of who paid<br>the Bounty as pr.<br>Enrollment. | What Regiment<br>Enlisted in. | To whom<br>Delivered. |
|----------------------------|-----|----------------------------------|---------------------|------------------|--|-------------------------------|-----------------------|
| April 30                   | 51  | Adam Devilbess                   | Simon Johnson       | D. War           | Capt. Mountjoy Bayly                                 | Gunby's Rigimt.               | Capt. Bayly           |
| 30                         | 52  | Balser Snyder                    | William McCoy       | D. War           | Col. Thos. Price                                     | Col. Price                    | Col. Price            |
| 30                         | 53  | Jacob Rhoar                      | Samuel Hattenstein  | 3 years          | Col. Lodo. Weltner                                   | German Rigimt.                | Col. Weltner          |
| May                        | 54  | Martin Walts                     | William Braithwaite | D. War           | Col. Thos. Price                                     | Col. Price                    | Col. Price            |
| 1                          | 55  | George Marker                    | John Shively        | 3 years          | Col. Otho Hold. Williams                             | Col. Williams                 | Col. Williams         |
| 1                          | 56  | John Devilbess                   | Thomas Brown        | D. War           | Col. Thos. Price                                     | Col. Price's                  | Col. Price            |
| 1                          | 57  | John Grumbaugh                   | William Phillips    | 3 years          | Ditto  | Ditto                         | Ditto                 |
| 1                          | 58  | Adam Creager                     | Richard Quin        | D. War           | Col. Lodo. Weltner                                   | German Rigimt.                | Col. Weltner          |
| 2                          | 59  | John Stoner Junr.                | James Dyer          | 3 years          | Lieut. Jacob Gromet                                  | German Rigimt.                | Col. Weltner          |
| 2                          | 60  | George Doub                      | Robert McCand       | 3 years          | Col. Otho Hold. Williams                             | Col. Williams                 | Col. Williams         |
| 2                          | 61  | Jacob Bayer Junr.                | Thomas Hazelwood    | D. War           | Lieut. Jacob Gromet                                  | German Rigimt.                | Col. Weltner          |
| 2                          | 62  | Henry Kemp                       | John Malady         | D. War           | Ditto  | Ditto                         | Ditto                 |
| 3                          | 63  | John Bruner                      | Patrick Riley       | 3 years          | Col. Otho Hold. Williams                             | Col. Williams                 | Col. Williams         |
| 4                          | 64  | Peter Boarer                     | James Eddy          | D. War           | Col. Thos. Price                                     | Col. Price's                  | Col. Price            |
| 4                          | 65  | Philip Bier                      | George Boogher      | 3 years          | Lieut. Jacob Gromet                                  | German Rigimt.                | Col. Weltner          |
| 4                          | 66  | John Roberts                     | William Norris      | D. War           | Col. Lodo. Weltner                                   | Ditto                         | Ditto                 |
| 5                          | 67  | John Feltz                       | John Megraw         | D. War           | Col. Thos. Price                                     | Col. Price                    | Col. Price            |
| 5                          | 68  | William Reynolds                 | Thomas Ferrell      | D. War           | Ditto  | Ditto                         | Ditto                 |
| 5                          | 69  | Thomas Flemming                  | Patrick Rawen       | D. War           | Ditto  | Ditto                         | Ditto                 |
| 5                          | 70  | George Devilbess<br>(son Casper) | William Nicks       | 3 years          | Capt. Mountjoy Bayly                                 | Gunby's Rigimt.               | Col. Weltner          |
| 5                          | 71  | Francis Elder                    | John Wade           | D. War           | Col. Lodo. Weltner                                   | German Rigimt.                | Col. Weltner          |
| 5                          | 72  | William Thomas }                 | Daniel Woriew       | D. War           | Col. Otho Hold. Williams                             | Col. Williams                 | Col. Williams         |
| 5                          | 73  | Arnold Newton }                  | John Luff           | D. War           | Ditto  | Ditto                         | Ditto                 |
| 5                          | 74  | Nathan Hammond }                 | Henry Grantham      | D. War           | Ditto  | Ditto                         | Ditto                 |
| 5                          | 75  | Francis Thomas }                 |                     |                  |  |                               |                       |



| Date when passed,<br>1778. | No. | By whom<br>Furnished. | Substitute's Name. | Time of Service. | Name of who paid<br>the Bounty as pr.<br>Receipt on the<br>Enrollment. | What Regiment<br>Enlisted in. | To whom<br>Delivered. |
|----------------------------|-----|-----------------------|--------------------|------------------|--|-------------------------------|-----------------------|
| May 17                     | 112 | Peter Stimmel         | George Gardner     | 3 years          | Capt. Mountjoy Bayly   | Gunby's Rigmat.               | Capt. Bayly           |
| 17                         | 113 | Godlip Snyder         | Peter Shoemaker    | 3 years          | Capt. Jona. Morris   | Gunby's Rigmat.               | Capt. Morris          |
| 18                         | 114 | Jacob Snyder          | Joseph Brauner     | 3 years          | Col. Lodo. Weltner   | German Rigmat.                | Col. Weltner          |
| 18                         | 115 | Philip Smith          | John Carroll       | D. War           | Capt. Jno. Ghiselin  | Col. William's                | Capt. Ghiselin        |
| 18                         | 116 | Henry Staley          | John Bennett       | D. War           | Col. Lodo. Weltner   | German Rigmat.                | Col. Weltner          |
| 18                         | 117 | Frederick Stemple     | Thomas Hutchcraft  | D. War           | Ditto  | Ditto                         | Ditto                 |
| 19                         | 118 | John Beatty           | Samuel Davis       | D. War           | Col. Mountjoy Bayly  | Gunby's Rigmat.               | Capt. Bayly           |
| 19                         | 119 | Josiah Russell        | Patrick Shean      | D. War           | Col. Otho Holld. Williams  | Col. Williams                 | Col. Williams         |
| 19                         | 120 | Carlton Tannyhill     | Robert Boyle       | D. War           | Capt. Ghiselin   | Ditto                         | Capt. Ghiselin        |
| 19                         | 121 | Joseph Kennedy        | Arthur Milholland  | D. War           | Col. Thos. Price   | Col. Thos. Price              | Col. Price            |
| 19                         | 122 | John Jacobs           | Samuel Edwards     | D. War           | Capt. Adam Grosh   | Gunby's Rigmat.               | Capt. Grosh           |
| 19                         | 123 | Jacob Huff            | William Nevins     | 3 years          | Col. Lodo. Weltner   | German Rigmat.                | Col. Weltner          |
| 19                         | 124 | Robert Owen           | Andrew Preston     | D. War           | Col. Thos. Price   | Col. Price's                  | Col. Price            |
| 19                         | 125 | John Julien           | Jacob Knight       | D. War           | Ditto  | Ditto                         | Ditto                 |
| 19                         | 126 | Josias Dorsey         | Mathias Smith      | D. War           | Lieut. Jacob Gromet  | German Rigmat.                | Lieut. Gromet         |
| 19                         | 127 | William Dorsey        | William Fearley    | D. War           | Col. Thos. Price   | Col. Price                    | Col. Price            |
| 19                         | 128 | Daniel Byser          | Hugh McCay         | D. War           | Lieut. Jacob Gromet  | German Rigmat.                | Lieut. Gromet         |
| 19                         | 129 | John Gronise          | Peter Bartomew     | D. War           | Col. Lodo. Weltner   | Ditto                         | Col. Weltner          |
| 19                         | 130 | John Colplash         | Robert Smith       | D. War           | Ditto  | Ditto                         | Ditto                 |
| 20                         | 131 | Jacob Mettard         | Christian Casner   | D. War           | Ditto  | Ditto                         | Ditto                 |
| 20                         | 132 | Casper Missell        | William Rider      | D. War           | Lieut. Jacob Gromet  | Ditto                         | Lieut. Gromet         |
| 20                         | 133 | George Rosensteel     | Cornelius Vaughan  | D. War           | Col. Thos. Price   | Col. Price's                  | Col. Price            |
| 20                         | 134 | Jacob Juda            | John Burns         | D. War           | Col. Lodo. Weltner   | Gunby's Rigmat.               | Col. Weltner          |
| 20                         | 135 | Adam Isminger         | James Smith        | D. War           |  |                               |                       |
| 20                         | 136 | James Flemming        |                    | D. War           |  |                               |                       |
| 20                         | 137 | Jacob Keplinger       |                    | D. War           |  |                               |                       |

# A LIST OF SUBSTITUTES.

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|     |    |     |                        |                   |         |                     |                 |                |
|-----|----|-----|------------------------|-------------------|---------|---------------------|-----------------|----------------|
| May | 20 | 138 | Matthias Broadbeck     | John Fannell      | D. War  | Lieut. Jacob Gromet | German Rigmat.  | Lieut. Gromet  |
|     | 20 | 139 | James Hammett          | Benjamin Cole     | D. War  | Col. Lodo. Weltner  | Ditto           | Col. Weltner   |
|     | 20 | 140 | Michael Roar           | Henry Ferrence    | D. War  | Ditto               | Ditto           | Ditto          |
|     | 20 | 141 | Nicholas Everly        | William Vincent   | 3 years | Ditto               | Ditto           | Ditto          |
|     | 20 | 142 | Alosius Elder          | Patrick Trainer   | D. War  | Capt. Jno. Ghiselin | Col. Williams   | Capt. Ghiselin |
|     | 20 | 143 | Joseph Hedge           | Luke Horsefield   | D. War  | Col. Thos. Price    | Col. Price's    | Col. Price     |
|     | 20 | 144 | John Smith Junr.       | William Allender  | D. War  | Ditto               | Ditto           | Ditto          |
|     | 20 | 145 | John Adlum             | Patrick Cary      | D. War  | Ditto               | Ditto           | Ditto          |
|     | 20 | 146 | Christian Weever       | Jonas Chamberlin  | D. War  | Ditto               | Ditto           | Ditto          |
|     | 20 | 147 | Saml Blair             | James Johnson     | D. War  | Col. Lodo. Weltner  | German Rigmat.  | Col. Weltner   |
|     | 20 | 148 | John Flemming }        | Abraham Stallings | D. War  | Capt. Jona. Morris  | Gunby's Rigmat. | Capt. Morris   |
|     | 20 | 149 | John Jacob Schley      | William Pope      | D. War  | Col. Lodo. Weltner  | German Battn.   | Col. Weltner   |
|     | 20 | 150 | Godfrey Leatherman     | John Staut        | D. War  | Ditto               | Ditto           | Ditto          |
|     | 20 | 151 | Jacob Hoffman          |                   |         |                     |                 |                |
|     |    |     | (Carrolls Mannor)      |                   |         |                     |                 |                |
|     | 20 | 152 | Christian Ransburgh    | Joseph Horsefield | D. War  | Col. Thos. Price    | Col. Price's    | Col. Price     |
|     | 20 | 153 | Philip Smith           | Michael Smith     | D. War  | Col. Lodo. Weltner  | German Rigt.    | Col. Weltner   |
|     | 20 | 154 | John Macklefah         | John Waler        | D. War  | Col. Thos. Price    | Col. Price's    | Col. Price     |
|     | 20 | 155 | Frederick Zoler        | William Prangley  | D. War  | Capt. Jones         | Gunby's Rigmat. | Capt. Jones    |
|     | 20 | 156 | John Keller            | Alexander Smith   | D. War  | Col. Lodo Weltner   | German Rigmat.  | Col. Weltner   |
|     | 20 | 157 | Andrew King            | Benjamin Elliott  | D. War  | Ditto               | Ditto           | Ditto          |
|     | 20 | 158 | Nathan Maynard         | Charles Jones     | D. War  | Lieut. Jacob Gromet | Ditto           | Lieut. Gromet  |
|     | 20 | 159 | Jacob Toup             | John Richards     | D. War  | Ditto               | Ditto           | Ditto          |
|     | 20 | 160 | Valentine Lingenfelter | Samuel Fletcher   | D. War  | Ditto               | Ditto           | Ditto          |
|     | 20 | 161 | Thomas Elder           | Dennis Waylon     | D. War  | Capt. Jona. Morris  | Gunby's Rigmat. | Capt. Morris   |

153 Substitutes.

Total List of the Quota of Frederick County already Furnished and to be furnished.

|   |   |   |   |   |       |
|---|---|---|---|---|-------|
| Recruits,   | - | - | - | - | 59    |
| Substitutes passed by the Different Field Officers, | - | - | - | - | 18    |
| Ditto passed by Lieut.,                             | - | - | - | - | 153   |
|   |   |   |   |   | <hr/> |
| Dead & Deserted,                                    | - | - | - | - | 230   |
|   |   |   |   |   | 2     |
|   |   |   |   |   | <hr/> |
|   |   |   |   |   | 228   |

CHAS. BEATTY.

|                           |       |
|---------------------------|-------|
| Frederick Town Battalion, | 13    |
| Kittocton Battalion,      | 13    |
| Monocacy ditto            | 16    |
| Pipe Creek ditto          | 16    |
| Linganore ditto           | 16    |
| p. l.                     | 7     |
|                           | <hr/> |
|                           | 309   |



## LAND NOTES, 1634-1655.

[Continued from p. 203.]

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[Liber F., Land Office Records.]

2<sup>d</sup> August 1641.

Thomas Copley Esq demandeth 400 acres of Land due for transporting 4 able men into the Province in the year of our Lord 1633.

Eod : The Said Thomas Copley assigned his Interest in the Said demand unto John Lewger Secretary.

Laid out for John Lewger Secretary 400 acres of Land bounding upon the South with Piscattaway Creek upon the West and North with a Swamp beginning at a hill in the Said Creek called the Lyon of Jude and on the East with a line drawn from the head of the Said Swamp unto or toward a Marsh in the Said Creek called the East Marsh, Soe far as to include 400 acres.

Memorandum. That in the Margin of the Orriginal Record book where the foregoing Patent is Recorded the following Entry is made Viz<sup>t</sup> (Never Signed Nor delivered).

6<sup>th</sup> August 1641.

Richard Hills planter demandeth 50 acres of Land due to him by assignment from Leonard Calvert Esq &c Sup: p: 52.

Decemb 14<sup>th</sup> 1641.

Laid out for Richard Hills a parcell of Land lyeing near New towne Marsh, and bounding on the South with the Said Marsh, on the West with the Land of William Thomson on the East with a Meridian line drawn from the head of a hollow called Dixon's hollow north into the Woods . . . Containing fifty acres or thereabouts.

26 August 1641.

Memorandu—That in the Margin of the foregoeing Certificate in the Orriginall Record book is thus Entred viz<sup>t</sup> (Included in John Medley's Grant of Medley.)

6<sup>th</sup> August 1641.

Richard Loe Planter demandeth 100 acres of Land due for transporting himself into the Country in the year 1640.

6. August 1641: By the Lieuten<sup>t</sup> Generall Whereas Richard Loe Planter hath one hundred acres of Land due unto him for transporting himself into this Province. These are therefore to will and require You to lay forth Soe much Land to the Said Richard Loe, where he Shall desire within this Province not already disposed of to any other, and to Certifie the Survey of the Same unto me the said Lieuten<sup>t</sup> General, for which this Shall be your warrant.

To M. Surveyor

Signed Leonard Calvert.

9 August 1641:

James Johnson demandeth 100 acres of Land for transporting himself into the Province this last year.

23 Oct 1641.

Laid out for James Johnson a Neck of Land in St. George's Creek called Beanes point bounding on the East with a branch of the Said Creek called St. John's Creek, on the South and West with the Said St. George's Creek, and on the North with a line drawn from a bite in the Said St. John's Creek called Johnson's bite, unto a Marsh in the Said St. George's Creek called James's Marsh Containing 100 acres or thereabouts.

20<sup>th</sup> August 1641.

Richard Nevill demandeth 50 acres of Land due by assignment from Randoll Revell: Supra and 50 acres more by assignment from John Medley.

10 Dec 1641.

Laid out for Richard Nevill a parcell of Land, bounding on

the South with a branch of Pacocomoco Creek called Medleys branch, and from the head of that branch Eastward . . . till it Intersect a paralell Drawn from a branch in Nevetts Creek, called Richards branch, . . . Containing 100 acres of Land.

{ In the Margin of the Orriginal Record book opposite to }  
 { y<sup>e</sup> foregoing Certificate is thus Entred (Surrendred by Medley) }

13 August 1641.

Leonard Calvert Esq demandeth 6000 acres of Land for transporting 15 able men into the Province in the year 1633, and likewise 100 acres of Town Land for the Said title, Viz: Peter Draper, Robert Pike, James Heckley, Richard Gilbert, John Ashmore, Thomas Allen, Charles Middleton, John Halfhead, Richard Bradley, William Andrews, Ralph Beane, Evan Watkins, Richard Hills, John Nevill, Lodowick Price.

Laid out for Leonard Calvert Esq a parcell of Town Land lyeing nearest together about the ffort and Commonly called the Governor's ffield bounding on the West with S<sup>t</sup> George's River on the North with S<sup>t</sup> Maries Bay on the East with the Mill brooke . . . where the ffreehold of S<sup>t</sup> Peters and the Chappell Land Meet in one Angle, And on the South with the Said Chappell Land by a right line drawn Westerly from the Said Angle unto S<sup>t</sup> George's River where the rail formerly began containing one hundred acres or thereabout.

ffurther Laid out for the Said Leonard Calvert one parcell of Land, bounding on the North with Trinity Bay, on the East with a right line drawn from the head of a Creek in the Said Bay called Norton's Creek along by the heads of Cauther's Creek and James's Creek and Soe forward due South East untill it fall upon a Creek running into Chesapeak Bay called the Deep Creek then with the Said Deep Creek, and Chesapeak bay, on the South and West with Patowmeck River Containing 3000 acres or thereabouts.

The Said parcell of Land ffurther Subdivided into 3 parcells for Mannors, the ffirst parcell by the Name of Trinity Mannor, bounding on the North w<sup>th</sup> Trinity Bay, on the East with a line drawn from Norton's Creek, unto the head of James's branch, on the South with the Said James's branch and broad creek and

on the West with Patowmeck River containing 600 acres, or thereabouts.

The Second parcell of Land by the name of St Gabriel's Mannor, bounding on the North with the foresaid Trinity Mannor, on the East with a line drawn from the head of James's branch unto the deep Creek, and from the head of that Creek, Southwesterly unto the head of a Creek in Patowmeck River called the Oyster Creek, on the South with the Said Oister Creek, and on the West with Patowmeck River Containing 900 acres or thereabout :

The parcell of Land by the name of St Michael's Mannor, bounding on the North with the Said St Gabriel's Mannor and including all the residue of Land between Patowmeck River on the West, Chesapeake Bay on the East and St Michael's point on the South, containing 1500 acres or thereabouts.

24 Jan: 1642.

William Broughe demandeth 100 acres of Land for transporting himself into the Province in the year 1636, and 100 acres more for transporting one Man Servant called Francis Thwaites in the year 1638.

Novemb 25 1642.

Laid out for William Broughe a parcell of Land lyeing on the North Side of Britton's bay in Patowmeck River, called Popler Neck, . . . containing 200 acres or thereabouts.

14<sup>th</sup> August 1641.

William Tompson demandeth 200 acres of Land by Speciall Grant of his Lordship:

John Medley demandeth 200 acres of Land for transporting into the Province in the year 1637 two able men Servants—Richard Brook, James Moulins.

10<sup>th</sup> Decemb 1641.

The Said John Medley assigned over his right and Interest in fifty of the foresaid 200 acres unto Richard Nevett.

Decemb 14: 1641.

Laid out for John Medley a parcell of Land lyeing in Patowmeck River called Pawcomicok point, bounding on the West with a Creek called Pawcomicok Creek, on the North with a branch of the Said Creek called Medley's branch on the East with a hollow of the Said branch called Medlies hollow Southeast and by South into Patowmeck River on the South with the Said River Containing 100 acres or thereabouts.

Laid out for John Medley another parcell of Land lyeing near the head of Nevett's Creek, . . . containing fifty acres or thereabouts.

25 August 1641.

William Hawkins demandeth 200 acres of Land . . . for transporting himself and his wife into the Province in the year 1640.

24 January 1641.

The Said William Hawkins assigned over all his right and Interest in the Said 200 acres of Land unto Thomas Bushell.

Aprill 16.

The Said Thomas Bushell assigned all his right and Interest in the Said 200 acres of Land unto John Lewger Gent for 162<sup>h</sup> Tob.

Thomas Bushell.

The Said John Lewger reassigned these 200 acres unto Thomas Bushell.

25<sup>th</sup> August 1641 Richard Dixon demanded 100 acres of Land . . . for transporting himself into the Province in the year 1640.

1 Decemb 1643.

The Said Robert Dixon assigned all his right in the Said demand unto William Thomson.

25 August 1641.

Thomas Leatherborow demandeth 100 of Land . . . for transporting himself into the Province in the year 1638.



The Said Thomas Letherborow assigned his right in the Said hundred acres unto Randoll Revell.

John Lewger demandeth 400 acres of Land due by Conditions of Plantation for transporting into the Province four able men Servants called Alexius Pulton, John Askew, William Stiles and Bartholomew Slater.

18<sup>th</sup> Octob 1641.

Cyprian Thorowgood demandeth 100 acres for transporting himself into the Province.

24 January 1641.

Richard Banks and William Wright demand 200 acres of Land . . . for transporting themselves into the Province at their own Charge.

Laid out for Richard Banks and William Wright a parcell of Land lyeing on the North Side Of Patowmeck River called Popler hill, . . . containing 200 acres.

10 Novemb 1641.

Thomas Bushell demandeth 100 acres of Land for transporting himself into the Province in the year 1640. and 200 acres more by assignment from William Howkins.

[Surrendred.]

24 January 1641.

Laid ont for Thomas Bushell a parcell of Land lyeing on the South Side of Bretton Bay . . . containing one hundred acres or thereabouts.

Eod : The Said Thomas Bushell assigned all his Interest in the Said demand unto Henry Lee.

4 Novemb 1641.

John Lewger demandeth 100 acres of Land for the transportation of John Hatch :

The Said John Lewger assigned all his right in the Said 100 acres unto John Hatch and John Thompson.

William Hull, Marriner demandeth 100 acres of Land for the transporting of himself into the Province.

Mar 19 1641.

Lay out Some time before Mid Sumer next for William Hull 100 acres of Land upon any point in St. George's Creek not afore disposed to any other . . . .

Signed Leonard Calvert.

11 Dec 1641.

Thomas Gerrard, Gent, demandeth four thousand acres of Land due to him by Conditions of Plantation for transporting into the Province at his own charge, himself and twenty able men Servants in the year 1637, 1638 and 1640. Viz: John Longworth, Peter Heyward, Samuel Barrett, Thomas Knight, Robert Brasinton, Richard Scotsford, John Ashton, Oliver Gibbons, William Pinley, Henry Smith, Thomas White, Thomas Morris, John Gerrard, John Taylor, John Shanks, Richard Wright, Richard Boreman, Richard Walker, Francis Sutton and Thomas Doe, And two thousand acres more due to him by assignm<sup>t</sup> from M<sup>r</sup> John Lewger.

11 Dec 1641.

Laid out for Thomas Gerrard Gent a Tract of Land bounding upon the South with Patowmeck River upon the west with Wicocomoco River upon the East with St. Clements Bay, and upon the North with a right line drawn from a Creek in Wicocomoco River called Gerrard's Creek South Easterly to the nearest branch of a Creek in St. Clement Bay called the ffresh Creek, And likewise three Islands the one in Potowmeck River Called St. Clements, the Second in the Mouth of St. Catherines Bay called St. Catherines Island and the third lyeing near unto it in the Mouth of Wicocomoco River called St. Margaret's Island, The Said Tract of Land and Islands Containing Six thousand acres in the whole or thereabouts.

10 Decemb 1641.

John Lewger demandeth 2000 acres of Land due to him by Special warrant from the Lord Propy.

And the Said John Lewger assigned over his right and Interest in the Said 2000 acres unto M<sup>r</sup> Gerrard.

4 febr 1641.

Richard Cole demandeth 100 acres of Land whereof 50 acres due by assignment from M<sup>r</sup> Thomas Coply and 50 acres more from Walter Beane.

These are to Certify your Worship that Whereas I have 100 acres of Land due to me for transporting into the Province one Richard Cole I have assigned my right and Interest in 50 acres thereof unto the Said Richard Cole.

To the Lieuten<sup>t</sup> Gen<sup>l</sup>al.

Signed Thomas Copley.

13 Decemb 1641.

Marks Pheipo and Nicholas Keytin, Irishmen, demand 200 acres of Land . . . for transporting themselves into the Province

17<sup>th</sup> Decemb 1641.

Nicholas Hervey prayeth a Grant of a Mannor<sup>1</sup> of 1000 acres on the South Side of Patuxent River by Speciall warrant from his Lordship for transporting into the Province this present year himself, his wife and five other persons viz<sup>t</sup> three men Servants viz<sup>t</sup> Robert Beard, Henry Spink and John Chair, one Boy, Robert fford and his daughter ffrances Hervey.

Decemb 2<sup>d</sup> 1642.

Laid out for Nicholas Hervey, planter, a parcell of Land lyeing on the South Side of Patuxent River and bounding on the South with a Creek called St. Laurence Creek, on the North with the back River on the East with Patuxent River on the West with the known path of Patuxen untill it intersect a line drawn South West from a branch in the back river called St. ffrancis branch containing by Estimate one thousand acres.

28 Decemb 1641.

John Robinson, Carpenter, demandeth 200 acres of Land . . . for transporting into the Province two able men Servants to witt Richard Baxter and John Michell.

<sup>1</sup> See also this *Magazine*, V. 3, p. 160.

John Hatch demandeth 50 acres of Land due to him by assignment from John Lewger Secretary.

4 febr 1641.

Walter Beane demandeth 200 acres of Land . . . for transporting into the Province himself and 1 able man Servant called John Cole.

The Said Walter assigned over all his Interest in 50 acres of the Said Land unto Richard Cole.

12 January 1641.

Giles Brent Gent demandeth 1000 acres of Land by assignment from Leonard Calvert Esq. &c.

12 febr 1641.

Thomas Pursall demandeth 200 acres of Land for transporting into the Province himself and 1 man servant called James Linch.

Lay out for Thomas Pursall 200 acres of Land in any place not afore disposed of about the Herring Creek . . .

19<sup>th</sup> March.

John Rutlidge demandeth 100 acres of Land due by Conditions of Plantation for transporting himself into the Province in the year 1640.

Lay out for John Rutlidge Some time before Mid Sumer next 100 acres of Land in any Neck upon St. George's Creek not afore disposed to any other.

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## LETTERS AND DOCUMENTS.

(From the Executive Archives except as otherwise indicated.)

## THOMAS BACON TO THE VESTRY OF ALL SAINTS PARISH.

[The following interesting letter, the original of which is in the possession of Ernest Helfenstein, Esq., of Frederick, Md., throws further light on the educational projects of the Rev. Thomas Bacon as well as on his plan for promoting church unity. Further information concerning Dr. Bacon may be found in "A Maryland Merchant and his Friends," printed elsewhere in this issue; and also in Steiner's *History of Education in Maryland*, p. 169, and his "Pioneer in Negro Education," in the *Independent*, vol. 51, p. 2287.]

Frederick Town, 14th July 1761

Gentlemen :—

The Associates of Dr. Bray having wrote to me by their Secretary, the Rev'd Mr. Waring, and impowered me to open a school in Maryland for the instruction of thirty Negro Children at least, all of them to be taught to read, and instructed in the Principles of the Christian Religion by a proper Matron or School Mistress, and the girls in particular to be taught Sewing, Knitting, Marking, and other Matters useful in a Family, I am very desirous not only to answer the end proposed by that worthy and religious society, in diffusing the Light of the Gospel and promoting the Knowledge of God and his service among those poor, ignorant, benighted Creatures, but (if possible) to secure the benefit of their pious intentions to the Parish in which I serve. I have therefore communicated the above mentioned letters to You Gentlemen for your serious consideration, in order to have your Advice and Concurrence in a Matter of such importance for the Advancement of Christianity, and extending the Benefits of a Redeemer to the lowest and most neglected Class of human souls among us.

I further beg leave to recommend to your serious Consideration whether an itinerant Master or two in this Parish upon the Plan of the Welsh Circulating Schools might not be of signal Advantage to Numbers of Poor Planters and Farmers and their Chil-



dren, by being taught to read, write and join with Propriety and Decency in the several Parts of divine Service etc. as well as to the Improvement of and instilling good morals and Principles into such of the Negroes as may at convenient times be sent to them for catechising and other Christian Instruction at the several Places such Master should from time to time be stationed at by order of the Minister and Vestry, and whether, if one or two such Masters should be sent in and recommended by the Society, we could form any rational Plan for raising an adequate Salary among ourselves for his or their Maintainance?

You will farther permit me to consult you whether, in your Opinion, it would not be very desirable and useful to attempt a farther Harmony and Union between us and the Dutch, both in religious and civil Matters? And whether a school to be settled in this Town, wherein all Dutch Children should be taught to read and write English gratis, might not be a very proper and promising Expedient for promoting so desirable an Union and lessening the Number of separate and distinct opinions and Congregations among us?

I am, Gentlemen, begging the Blessing of Almighty God upon your Persons and Families, and upon all your Councils and Endeavours for exalting his Worship and Glory and the Interests of true Religion in this Parish.

Your most faithful Pastor  
and Servant in the Lord Jesus,

THOMAS BACON.

To The Vestry of All Saints Parish  
in Frederick County.

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GOV. LEE TO GENERAL ASSEMBLY.

In Council Decem<sup>r</sup> 4, 1792.

Gentlemen

We think it necessary to communicate to the Legislature a Difficulty wch has occurred in consequence of Josh: Seney Esquire having resigned his seat as a Represent. of this State in the Con-

gress of the United States—in order that the General Assembly may have an opportunity of removing it. Mr. Seney was elected under the act of Nov. Session 1788, by which six Representatives were directed to be chosen distributively out of certain Districts by the Majority of Voices in the State. The Act of Nov. Session 1790, ch. 16, repeals the Law above mentioned, and directs that one Representative shall be chosen for each District by the Voters of the Districts respectively.

The act of Nov. 1791, ch. 62, anticipating the encrease of our Representation in consequence of the census, modifies the Districts in a different manner from the former Laws and repeals the act of 1791 so far as it is inconsistent with the new Modification.

By the Repeal of the Act of 1788 we are not now authorised to issue a writ for supplying the Vacancy occasioned by Mr. Seney's resignation, by a Majority of voices in the State, and we think it probable that as the Districts established by the act of 1790 are abolished by the fifth section of the Act of 1791, we cannot issue a writ to the District for which Mr. Seney was elected, the Existence of it being destroyed. Nor have we any power to direct a writ to any District created by the last mentioned Law.

If the General Assembly should be of opinion that the interests of the State require the Election of a Member in the place of Mr. Seney and our authority to take the necessary steps is even doubtful, we submit it to their considern. whether it w<sup>d</sup> not be advisable to have an Act ennabling us to issue a writ to the District for which Mr. Seney was originally elected to supply the vacancy.

We are &c.,

TH. S. LEE.

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KEY-EVANS DUEL.

To his Excellency James Brice, Governor of Maryland.

The Petition of Edmond Key, Jeremiah Evans, John Bond (of Thomas) and Alexander Kilgour humbly sheweth :

That two of your Petitioners, Edmond Key, and Jeremiah Evans, sometime in February seventeen hundred and ninety-one,

having had a difference, a challenge was sent by the said Key to the said Evans, to fight with Pistols, and Evans having accepted, they, Key and Evans, met and fired at each other, but without Damage or hurt to either party ; and after firing, they (i. e., Key and Evans) made the difference up, and are now on good Terms of Friendship ; and that your Petitioner John Bond (of Thomas) was Second to Jeremiah Evans, and your other Petitioner Alexander Kilgour was Second to Edmond Key, and were present at the time the said Duel was fought ; For which breach of the Laws of this State, We your Humble Petitioners are now prosecuted in Saint Mary's Coty Court ; Edmond Key and Jeremiah Evans for fighting a Duel, and John Bond (of Thos.) and Alexander Kilgour, for being seconds to the said Evans & Key.—We not knowing the Consequences of breaking the Law before are extremely sorry for committing an offence agst. it in this Particular, and humbly pray that Your Excellency will grant a Nolle Prosequi to stay all proceedings against us your Humble Petitioners, in Saint Mary's county court, Edmond Key and Jeremiah Evans for fighting a Duel and John Bond (of Thos.) and Alexander Kilgour for being Seconds to them. And we your Humble Petitioners will, as in duty bound ever pray &c.

Feby 26th, 1792.

[Endorsed. March 8, 1792 Noli pros. granted.]

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POSTSCRIPT TO STERETT-HADFIELD DUEL.

(See page 79.)

On June 4th, 1791, the Judges of the General Court, Messers Thomas Johnson, Robert Goldsborough and Jeremiah Townley Chase, addressed a letter to Governor Howard enclosing a number of papers relating to the Sterett-Hadfield duel, including the Coroner's inquest, the copy of the indictment and the following deposition of Ruben Etting, deputy sheriff of Baltimore county :

“He this Deponent proceeded to Alexandria for the purpose of taking the prisoners described in the said warrant [Thomas Had-

field and James Barry]; That upon his arrival at Alexandria he went to the Mayor of the Town and Shewed him his Warrant, upon examining of which the Mayor told this Deponent if the Persons cou'd be taken that he wou'd deliver them to him on the Maryland Side of the Potomac; upon which he issued a Warrant to the Town Sargent to take the said Persons described in his this Deponent's Warrant and to take them before him or some other Justice of the Peace upon which the officer to whom the warrant was directed went Next Morning at Breakfast took them; Hadfield then demanded to know if he was an officer from Baltimore he told him No, but that there was one at the Door upon which this Deponent went in and then took the Prisoners to a Private Room and sent for the Mayor and One Magistrate—The Mayor's Name Philip Marsteller, the Magistrate's Name Olney Werner. A Mr. Watson a friend of Mr. Hadfield and a Mr. Simms an Attorney were admitted into the Room on this Deponent finding Mr. Simms to be an Attorney asked the Mayor if they intended to hear Council if so he would imploy one; they made answer that they shou'd not attend to what any Person said, appearing at that Time to be of opinion that the Prisoners Must be delivered to this Deponent; upon which Mr. Watson sent for the Constitution of the United States and a Mr. William Hunter Jun. a Magistrate and after a Consultation with said Hunter they Called this Deponent into a Private Room and informed him that they cou'd not deliver the prisoners to this Deponent for that the power was not Sufficient but that it ought to have come from the Governor and Counsel of the State of Maryland: Then this Deponent applied to them to have the Prisoners Detain'd untill he cou'd Set out and Obtain Such Power: Upon which they made answer that they cou'd not detain them that they cou'd deliver them if they cou'd detain them."

Sworn before me

BENJ. NICHOLSON. Seal.

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## GOVERNOR HICKS AND THE JOHN BROWN RAID.

Annapolis, October 27, 1859.

To the Sheriff of Washington County.

Sir :

Information has reached me from sources which entitle it to consideration that efforts are now being made by certain misguided and fanatical persons in the neighbouring State of Pennsylvania to make an incursion through this State into Virginia for the purpose of attempting to rescue from the custody of the law the parties concerned in the late treasonable outrage at Harper's Ferry ; and I am further informed that these same parties threaten to carry off with them the slaves belonging to citizens of this State and to burn and destroy property.

While I do not attach much importance to vain threats of this sort yet I am admonished by the suddenness of the outbreak at Harper's Ferry to take all precaution which prudence may suggest, so as to forewarn and forearm the citizens of this State without exciting undue alarm or seeming to magnify a murderous riot into a threatened civil war.

I therefore think it proper to advise and direct you to name a sufficient number of deputies residing along and near the boundary line between this State and Pennsylvania, and also others residing along the Potomac River in your county who may be empowered to act with authority in case of any unlawful or unusual assemblage of persons whose character and purpose is not known, and to arrest and detain for sufficient cause any persons travelling in parties armed, or otherwise acting and proceeding in such manner as to give reasonable cause to believe that their intention is to incite riot or rebellion against the laws.

I do not doubt that you will cheerfully and promptly do everything in your power to sustain public order, and protect the lives and property of citizens in your county ; and you may rely on all aid from myself in maintaining the authority and supremacy of the law.

You will be good enough to acquaint me with the precautions



and measures you may have taken to this end, as well before as since the receipt of this communication.

I am Sir your Obedient Servant,

THOS. H. HICKS,  
Governor of Maryland.

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Annapolis, October 28th, 1859.

J. M. Cole, Brig. Genl. M. M.

Sir :

Having learned by private communication entirely reliable as I consider, that one of the volunteer companies in your command had been ordered to the Maryland border adjacent to Harper's Ferry when fears of an outbreak by Northern fanatics and their allies were entertained, I hasten to say if so, as I doubt not it is, that I entirely endorse such order by whomsoever given, and further to ask that such company be detained upon and near our line adjoining Virginia until the necessity for such force shall have passed by. In regard to the Armory at Frederick City—that during the threatened outbreak it should be looked to by commanding officers and if arms shall be needed to repel invasion by Northern fanatics, then let them be withdrawn by said commanding officers under your order or otherwise when necessary.

Your obt. Servt.,

T. H. HICKS.

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Annapolis, Oct. 28th, 1859.

Joseph Byrne Esq.

Sir :

Your favor to hand—contents considered as fully as circumstances allow—being much pressed by business matters principally upon subject on which you write. And first let me say, that I yesterday forwarded authority to Sheriff of your county, as also that of Frederick, ordering inauguration, at once of a sufficient Patrol (made efficient of course) to scour your county,

attending particularly to guard State line and the border of Maryland on Virginia, particularly those parts adjacent to Penna.

In event of Marauders or suspicious persons making their appearance, a warning notice will be given and military forces brought to scare off trouble. Trusting that no further serious outbreak may annoy you and with the assurance that all proper steps will be taken by me for protection of our citizens,

I am respectfully your obt. Servt.,

THOS. H. HICKS.

To Joseph Byrne Esq.  
Harper's Ferry.

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Annapolis, Oct. 28th, 1859.

To Majr. Genl. Stewart, M. V.

Sir:

In examining Record this morning, I find, either neglect to acknowledge receipt of your last full and satisfactory report made in regard to troubles at Harper's Ferry, or if response *was* made, then failure to retain Copy for record; in either event no wrong can be done by saying, *perhaps* repeating, that your orders given, and proceedings generally on that occasion, met my entire approbation, and is now fully endorsed by me, trusting that Fanaticism, *Madness*, may never again, require of yourself and those in your command, similar worry, and with my thanks to you and those good and true officers and Soldiery under command, for prompt action and manifest decision in favor of Law and order, am as ever

yr obt Servt,

THOS. H. HICKS.

P. S.—Still suffer ill health.

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Annapolis, Nov. 2nd, 1859.

To Brig. Genl. J. M. Cole.

I acknowledge with great satisfaction, receipt of your communication, per mail of yesterday, to this place.

Your order of Capt. Sinn's Company of volunteers, *to* and

*from the border of our State adjacent to Harper's Ferry, was in my opinion entirely proper, under the circumstances as detailed.*

I trust the very summary manner in which those madmen have been met and repulsed and are being exterminated, may teach Northern Fanatics a lesson, not to be forgotten, and give us peace and quiet.

Very respectfully yr obt Servt.,

THOS. H. HICKS.

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Annapolis, Nov. 28th, 1859.

Col. Jos. P. Warner,

Yours with Copy, to hand—motive and action on your part appreciated and with my thanks allow me to say, that I desire you with your command to be in readiness for emergency, shall it arise.

I have a police or scouting force in border Counties, viz. Frederick, Washington and Allegany Counties, who will give notice at earliest occasion for alarm—when, shall it occur, I desire all shall be ready and quickly in motion.

I cannot suppose there are many more mad Browns, and yet I think it prudent to prepare for the worst, avoiding at same time, creating unnecessary excitement.

Very respectfully yr obt Servt.

THOS. H. HICKS.

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Annapolis, November 29, 1859.

To His Excellency

The Governor of Virginia.

Dear Sir:

I have received the communication which you were good enough to send me under date of the 25th instant, enclosing a copy of the letter addressed by you, on the same day, to the President of the United States, in relation to information which has reached you of the designs and threats of invading Virginia, and of rescuing Brown and his confederates from the custody of the law.

The confidence you have expressed that I will faithfully coöperate with the authorities of Virginia, in preserving the peace of our coterminous borders, is justified by the measures I have already adopted, and by the means I will use to that end, as well as by the plain interests and well known dispositions of the people of this State.

While I regard the threats which have been reported, as the exaggerated or idle boastings of fanatics whose courage is only sufficient to urge others to desperate and treasonable enterprises, I have deemed it prudent to make such provisions, by my orders to the Civil and Military authorities of this State, and especially to those in the counties adjoining the scene of the late outrage, as will prevent the occupation of any place within our borders for a depot or rendezvous for lawless desperadoes who may seek to make war upon the people of Virginia.

In these, as well as in the character and disposition of the citizens of this State, I have complete confidence; and to these I will add at once such other measures as will, I trust, remove even the fear that the borders of this State may be made the points whence to assail the rights or the property of our brethren.

With the highest respect I am Sir,

Yours truly

THOMAS H. HICKS.

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Annapolis, November 29th, 1859.

To the Sheriff of Washington County,

Sir:—

In a communication addressed to you on the 27th of October, I advised and directed you to summon a sufficient number of deputies who might assist in the preservation of order and the public peace against any attempted outbreak in favor of the criminals now at Charlestown in Virginia, condemned to death for the treasonable outbreak at Harper's Ferry: and arrest all improper and lawless persons whose conduct or bearing might justify their being detained for examination. Since then I have received several communications from the Governor of Virginia

in which he assures me that reliable information has reached him of the intended invasion of that State, on the day appointed for the execution of Brown (December 2d) and of the threatened or intended assemblage of lawless persons who design to attempt the rescue of Brown and his confederates.

I am still of the opinion that these reports are exaggerated or magnified by the fears of the population among whom such outrage could be attempted, and I hope that the steps you have already taken may be sufficient to preserve public order; but in view of the repeated instances of the Governor of Virginia, of the respectability of the sources whence, as he assures me, he derives his information: of the importance to us that our authorities with the assistance of our citizens, should maintain the supremacy of the law, and guard the rights of our brethren in matters which interest us so nearly, I think it advisable again to call your attention, and through you the attention of your deputies, to my former communication; and to direct you to exert a renewed vigilance along the borders of your county, and to cause the arrest and detention of all lawless and dangerous persons who by their behavior or sudden appearance in armed bodies, or in companies, whose number or mode of travelling may justify the suspicion that they are engaged in unlawful proceedings.

And it is my wish and direction that upon receipt of this, you will in addition to your former dispositions make such provision by calling to your aid the good and lawful men of your county in that part opposite to Harper's Ferry, in number sufficient to resist and put down any riotous or unlawful assemblage there, especially upon the days immediately preceding and following, as on the day appointed for the execution of the Criminal Brown. In the event of any actual outbreak, or the appearance of such numbers as may render it necessary, you will of course call to your aid the Military who may be within reach, and the commanding officers of which are already aware of my wishes and orders.

I am sir, your obedient Servant,

THOMAS H. HICKS,  
Governor of Maryland.



## STAMP ACT PAPERS.

(From the Society's Collections.)

Instructions from the Honourable the Lower House of Assembly, of the Province of Maryland, to William Murdock, Edward Tilghman and Thomas Ringgold, Esquires, a Committee appointed to join the several Committees, from the several Colonies in America, at New York.

Gentlemen. You are to repair immediately to the City of New York, in the Province of New York, and there join with the Committees from the Houses of Representatives of the other Colonies, in a general and united, dutiful, loyal, and humble Representation to his Majesty, and the British Parliament, of the Circumstances and Condition of the British Colonies and Plantations, and to pray Relief from the Burthens and Restraints lately laid on their Trade and Commerce, and especially from the Taxes imposed by an Act of the last Sessions of Parliament, granting and applying certain Stamp Duties, and other Duties, in the British Colonies and Plantations in America, whereby they are deprived, in some Instances, of that invaluable Privilege of Englishmen, and British Subjects Trials by Juries. That you take Care that such Representation shall, humbly and decently, but expressly contain an Assertion of the Rights of the Colonists, to be exempt from all and every Taxations and Impositions upon their Persons and Properties, to which they do not consent in a Legislative Way, either by themselves or their Representatives, by them freely chosen and appointed. Signed by order of the House.

Robert Lloyd, Speaker.

*Proceedings of the Congress at New York.* [Coleophon] Annapolis. Printed by Jonas Green, Printer to the Province. MDCCCLXVI.

London 26th of Febr'y 1766

Gentlemen,

Your Favour of the 26th of Octor past with the Petitions<sup>1</sup> and Bill upon Messrs Hanbury enclosed did not come to Hand

<sup>1</sup> "In order to prosecute the Appeal to His Majesty in Council respecting the Allowance of the Clerk the Members of the Lower House have I understand opened a Subscription & at the Conclusion of the Session contributed themselves about £150 which will probably by this Opportunity be remitted to Mr. Garth whom they are to employ as their Agent & through whose hands their Address to the King upon the Repeal of the Stamp Act is to be transmitted." Sharpe to Hamersley, *Md. Archives*, v, 14, 356; and other references to Garth may be found in same volume at 385, 391, 395, 419, 431.

"Paid for Bill of Exchange, to remit to Charles Garth, Esq., with the Address and Petitions £150 Sterling, at 65 per Cent. Exchange, £247 10".—*Proceedings of the Congress at New York.* Annapolis, 1766.

untill the 28th of Janry; I am particularly oblig'd by the Civility, and for the high Opinion you have been pleased to entertain of me from the Information wch has come to yr Knowledge. As far as a faithful Discharge of my Duty gives a Title to Merit, I possibly may be thought to have some Pretensions, having made that the great Object of my Life; It was a particular Duty incumbent upon me to promote the Interests and Prosperity of So. Carolina, for which I have had the Honour & Satisfaction of receiving the highest Marks of their Approbation; in opposing as I have done to the utmost of my Power this late Attack upon the general Liberty and Happiness of the Subject in America, at the same Time that I was thereby discharging the general Duty of every Subject under this excellent Constitution, I was pursuing the Dictates of my own Conscience, and putting in Practice Principles I had early imbibed, without expecting any other Approbation, than that of a Heart conscious to itself of having done what it ought.

But as by that Means I am become recommended to yr Consideration, on the part of the Province of Maryland, I must beg you will be assured of my most zealous Endeavour in the Execution of yr Commands. I have already mentioned the Day on which I was favour'd with your Packet, which was the first I had receiv'd from America follow'd a few Days after by a Request of the same Nature from the Assembly of So. Carolina and Georgia.

I am now to inform you that upon the 27th Janry a Petition from the Congress on the Part of the Massachusetts Bay had been offer'd to the House of Commons, wch brought on a long Debate, Objections being taken to its Admission, the first to the Form, as contrary to an express Order of the House touching Petitions, Vizt. "1689 Ordered that all Petitions to be presented to this House, shall be signed by the Petitioners themselves by their own Names or Marks" that this was the Petition of the Freeholders & other Inhabitants &c but signed by a few particular Persons as Committees from

several Assemblys, to which it was answered, that the Gentlemen who had sign'd it, tho' the Addition of Committee was added to each Name, might notwithstanding be very properly taken to be Freeholders of the respective Colonies petitioning, being Members of the respective Assemblys; Another Objection was that it partook too much of a federal Union assembled without any Requisition on the Part of the supreme Power, and that the House by receiving a Petition from Persons so unconstitutionally assembled without legal Warrant or Authority wou'd give Countenance to a Step, it ought in the strongest Manner to set its Face against, as pregnant with great Danger to his Majesty's Authority and Government; to this it was reply'd that the Meeting had was apparently for no ill Purpose whatsoever, but with a View to consider of the most proper Method of applying to their Sovereign and to both Houses of Parliament for a Redress of a general Grievance, for which Purpose a general Application seem'd to be the properer Mode, at the same Time that considering how little Attention was last Year given to the separate Petitions of particular Colonies, or of the Agents & others in Behalf of the People in America, it might well be imagined that a general Petition prepared and signed by able Gentlemen, in whom each Colony reposed a Confidence, might carry more Weight with it, and be entitled at least to a different Treatment; and as to the Unconstitutionality of the Meeting, it as little deserved that sort of Construction to be put upon it, as any of the Meetings of a Variety of Gentlemen from several Counties and Corporations in England to consider of proper and effectual Measures for an Application to Parliament for a Repeal of any Act that might be deemed burthensome to those Bodies, which was the Case in the Cyder Counties: When the People or any Part thereof are aggrieved, it was said there was no Law nor Constitution within any Part of the Dominion of Great Britain to hinder them from assembling in a quiet and peaceable Manner to consider of

their Grievances and the Means to obtain Relief and Redress; this was declaredly the Object of that Meeting and apparently the Case & no other.'

A third Objection that it tended to question not only the Right of Parliament to impose internal Taxes, but external Duties, both being blended together as necessary to be repealed, and it was said that for questioning the Right in the first Instance the Petitions last Year were refused a Reception; much more then a Petition questioning the Power in the Case of Duties necessary for the Regulation of Trade, wch went to the very Vitals of the Legislative Authority and Strongly pointed at Independency upon the Mother Country. It was this Circumstance that prevented the Ministry from cordially Supporting it, who after much Debate on this Head expressed their Wish that the Motion, made for Leave to hear the Petition read by the Clerk and referr'd to the Committee, might be withdrawn, but this not being readily complied with, there being an Order of the Day not gone into, they moved about Eleven at Night for the Order of the Day, which was agreed to, and in that Manner the Fate of that Petition determin'd: As I could not see the Force of the Arguments urged against receiving it, being of Opinion that no Defect in Point of Form (when the Rules and Forms of the House cou'd not only not be known to the Petitioners but which if known, tho' not strictly and literally adher'd to) ought to be urged and insisted upon in a Matter of Such Importance and Concernment, and further thinking it much better & more parliamentary that Parliament should receive the Petitions tendered, when if there was any indecent or unbecoming Expressions or Assertion therein it might be a proper Subject for a Resolution after Debate thereon, I most heartily wished the Ministry wou'd have countenanced & divided upon its Admission, & the rather as Mr. Pitt was strong in Favour of its Reception, the Petitioners expressing therein their unbounded Affection for their Mother Country

and that their Subordination to the Parliament was universally acknowledged which he wish'd should remain to Posterity in the Journals of the House.

Upon the 28th we went into a Committee of the whole House upon the Affairs of America, which has sat almost every Day since for 8 or 10 Hours until the 21st Instant, in the Course of which several Resolutions were propos'd debated and the enclosed seven agreed to, upon the last there was a Division wch was carried in the Committee by 275 Voices agt 167. The Chairman of the Committee made his Report to the House on the 24th when a Motion was made for recommitting the last, after Debate the House divided, & it was carried to agree with the Committee therein by 240 Voices agt 133.

I enclose you the Votes of the Day by which you will see the Orders of the House, I most heartily congratulate you on our Success thus far. We shall doubtless give the Bill for a Repeal of the Stamp Act all possible Dispatch, but I own I am anxious for the Day of its being sent up to the House of Lords, where, I believe, it will encounter much Opposition tho' I hope and flatter myself without Effect.

You will possibly expect I should give you some Account of the Steps I have taken with Respect to the Papers you transmitted to me, but as the Ship is, I understand, upon her Departure every Minute, I have not Time to give you the particular Account thereof, which I intended. Mr Hanbury informs me I shall have an Opportunity of writing more fully in a few Days, by which Conveyance I shall send you a Detail of what past between Mr Conway,<sup>1</sup> Lord Dartmouth<sup>2</sup> and myself upon the Subject of the Petitions & Memorial to whom I immediately went upon the Receipt of yr Commands to notify the same and to desire their Patronage and Countenance thereof, I shall likewise send you fuller Information

<sup>1</sup> Henry Seymour Conway [1721-1795], Secretary of State, 1765-8.

<sup>2</sup> William Legge, Second Earl of Dartmouth [1731-1801], President of the Board of Foreign Trade and Plantations, 1765-6.



of the Proceedings had in the Committee of the whole House, the Result thereof being so material calls for the earliest Dispatch; as you will undoubtedly lay this Intelligence before your Assembly immediately upon its coming to Hand; to whom I must beg that therewith you will do me the Favour to present my proper Respects and to assure them that I shall with the greatest Pleasure obey any Commands that the Province of Maryland may have to be transacted in Great Britain, in which they may think I can in any Shape be of Service to them.

I am Gentlemen, with great Regard  
Yr Most Obedt. and Most Hble Servant

Chas. Garth.

Messrs Ringgold, Murdoch & Tilghman.

London March 5th 1766

Gentlemen

In my last I informed you that I propos'd very shortly to trouble you farther with an Account not only of the Steps I had taken in Consequence of yr Commands, but of the Proceedings had in the Committee of the whole House upon the North American Concerns. I proceed therefore in the first Place to acquaint you that the next Morning after the Receipt of your Packet, I went in Search of Mr DeBert, who, I understand had received an Appointment of the same kind from Boston, when I had seen him, I sent to Mr. Secretary Conway to beg the Favour of an Audience upon Papers I had receiv'd from America, he was so obliging to appoint 12 the next Morning, just before I was going to him, a Packet was brought me from So Carolina and another from the Province of Georgia. I had just Time to run over the same before I saw Mr Conway. I acquainted him with the several Applications I had received, and gave him the Petition to his

Majesty, wch he told me he should lay before the King and with Regard to the Petition to the House of Commons we had a great deal of Conversation thereon the Petition transmitted by You stood exactly upon the same Predicament with that mentioned in my last offered to the House on the Part of the Committees of Boston, that which came from So. Carolina & Georgia differ'd in so far as they had been approved in their Assemblies and sign'd by the speakers respectively: but the great objection wch had been taken to the other, that of blending the Power of Taxation & of imposing Duties still remain'd wch with all his Inclinations to the Colonies, he knew Administration could not give Countenance to; and as to the Question of Right, that had been too solemnly debated and settled two Days before any Change to be expected; possibly by attempting to introduce such a Petition after the Determination that had in a Manner taken place, I might put to Hazard a real Service to America, the great Object of Solicitude being a Repeal of the Stamp Act, which as Times were, Division and Faction rife, and Country Gentlemen, many of them wavering in Opinions, and others easily enflam'd, it was to be wish'd, should have as few Obstructions in the Way as possible, and to compass which was the Resolution of himself and the rest of his Majesty's Servants in Administration ✓ From Mr Conway I went to Lord Dartmouth, to whom I communicated the Commands I had been favour'd with, our Conversation was nearly of the same Import wth that wch past at the Secretary of State's Office; but as I had to ask of his Lordship the Introduction and Patronage in the other House of the Applications to the House of Peers, we had some Converse upon the Form of the Address, being in the Stile of a Memorial, and not by way of Petition, as to the King and to the Commons, a Distinction that would undoubtedly give great Umbrage and upon which Account the Lord Chancellor told him, that a Question wou'd be put upon the Reception, his Lordship having seen that which had been transmitted from the Massachusetts; Lord

Dartmouth desiring me to consider how far, after what had been solemnly determined in both Houses before I received my Packets, I could with Propriety or not extract from the Memorial such Parts as had not been in Judgment, and present the same to the Lords sign'd by myself in Behalf of the three Colonies of Maryland, So Carolina and Georgia. I for that Time took my Leave, having turn'd in my Mind all that had fell upon the Subject, I resolved to make no Extract from a Representation, which had received the Approbation of six Setts of Committees at the Congress, and had been afterwards approv'd and confirm'd in the Assemblies of South Carolina and Georgia and Signed by their respective Speakers; but I drew up a Petition, a Copy of which I enclose, by way of introducing the Memorial, with which I waited upon Lord Dartmouth, and inform'd him of the Determination I had come to upon a full Consideration of what had dropt from his Lordship; I left with him my Petition together with the Memorials and by his Appointment to attend him again the Morning after; when his Lordship told me he had given his Attention to my Request, and as the Point of Right had already been declared and as his Majesty's Ministers had determined to take the Sense of Parliament upon a Repeal of the Act, he thought the Necessity of presenting these Memorials did not press, if a Repeal could be compass'd, all was effected that could be wish'd or desir'd, if the Question Shou'd be lost we shou'd notwithstanding be at Liberty to apply for an Alteration of the Act, and for Relief in the great Articles of Oppression from the Extension of the Institution of Admiralty Courts, from the Inability of the People, and from the extreme Hardships and Burthens, that are by this Act brought upon all Conditions of Men, in particular of the lower Class in America. I saw plainly the wish of our Friends not to hazard any Question that might endanger the Loss of a single Voice upon the Point in Prospect, and therefore resolved to wait the Event, being convinc'd, from what had already pass'd in the House of Lords, of the Pro-

priety thereof; It is upon this Account I have been so particular in this Detail, that my Conduct and Actions may speak for themselves, which indeed waited not for Instructions to steer by.

I shall now proceed to the other Articles of Intelligence which I promis'd to transmit to you and which perhaps you may not receive with that Accuracy in Point of Substance from any other Pen, no Stranger having Liberty of Admission this Sessions, the Votes of the House of Commons will inform You of the Number and Variety of Papers laid before the House, many of which there was an Order for printing, but upon a more mature Consideration that Order was rescinded, the Contents of many of the Papers being Deem'd improper for the Knowledge of People without Doors, and for that Reason an Order was made that, during the Reading of those Papers and the Debates thereon in the Committee, no Strangers whatever shou'd be admitted within the House. Upon the 28th of Janry the Committee of the whole House on the Affairs of America commenc'd; Reading the Papers mention'd in the Votes, and the Examination of Doctor Mofatt, Mr Howard and Major James (which employed a few Hours of the last Day) took up three whole Days, the Committee sitting till near Eleven each Night, very sorry I am to observe that the Contents of many of the Papers, particularly from the Northern Colonies, touching the Legislative Authority of Parliament, for Language and Expression, together with the Accounts of the tumultuous Proceedings, the Nature and Extent thereof, were received by the Committee with an Impression, far from favourable to the great Object in View; it is very unfortunate that the Steps taken to prevent the Act taking Place were in some Places carried to that Length and Extremity they have been, at the same Time I am but sensible how little practicable it is to set Limits to an enraged Populace; I mention this because I think it has in some sort hurt the Cause not only in the House of Commons but very much in the House of Lords,

the Ministry having since, as I am inform'd, lost two Questions in a Committee of that House upon an Address proposed, as being couch'd in Terms not sufficiently authoritative, nor expressive enough of the Sovereignty of England over its Colonies, after the Expressions and Transactions that have taken Place among them. A Circumstance that had its Share in influencing my Judgment in the Determination I have above mentioned to have taken of waiting the Event of the Attempt to repeal the Act.

The 3d of Febry we went into a Debate to consider of Resolutions proper to be agreed upon, after the Information and Intelligence that had been communicated; when Mr Secretary Conway had proposed a Resolution Vizt "That the King's Majesty by and with the Consent of the Lords Spiritual & Temporal & Commons in Parliament assembled had, hath, and of Right ought to have full Power and Authority to make Laws and Statutes of sufficient Force & Validity to bind the People in America, Subjects of Great Britain, in all Cases whatsoever." Mr Conway and the Chancellor of the Exchequer said they were induced to offer the Proposition in this extensive Manner, not only as necessary to meet the Resolutions and Language of several of the Colonies, but because upon the fullest Enquiry into the Constitution of Great Britain, they were convinced that in Point of Law, the King, Lords and Commons were undoubtedly possessed of that Power, tho' in Point of Policy, Justice or Equity, it was a Power that they ought to exercise but in the most extraordinary Cases only. Colo Barrie mov'd to have the Words "in all Cases whatsoever" left out, and he shou'd have no objection to the Resolution as it wou'd then stand, he was seconded by Mr Pitt. The Arguments in Support of this Motion imported among the Variety of Suggestions offer'd, that the Subjects in the Colonies, when first they emigrated from hence, went with License, carrying with them every Right the Crown could grant, and every Right of British Subjects, carrying with them the Common Law of the Land;



that by the Common Law and Spirit of this Constitution no Man could be taxed without being represented, that the People of America could not with the smallest Propriety be said to be represented in the Parliament of Great Britain, and it was Representation that alone gave the Right and Power to the Commons of imposing Taxes, this was the Foundation of all Mr Locke's Arguments & Reasoning, greater Authority could not be produced: That the Principles of Taxation as distinguished from Legislation were as distinct Principles & Powers as any two Propositions under the Sun, had been considered uniformly such by our Ancestors thro' many Ages; the Counties Palatine of Chester & Durham always tax'd themselves by Writs of Requisition, and on that Account when the Grant of a Charter was made out erecting Lancaster into a County Palatine there was therein an express Reservation of the Power of Parliament to impose Taxes upon the People within that County, which wou'd have been unnecessary, if the Power of Parliament was such as contended for, but which became proper, the separate Claim of taxing within the respective Counties Palatine of Chester and Durham under their respective Charters being at that Time known, and the Inconveniences felt from the Exercise of that Power by themselves, without the Interposition of Parliament, precluded by those Charters; That the Clergy taxed themselves, and yet were no Part of the Legislature, for tho' the Abbots, Archbishops and others sat in Parliament, yet not upon the Ground of Representation, and therefore the Body of the Clergy would not suffer them to tax them, but separately and by themselves of their own free Gift granted to the Crown the Subsidies they did from Time to Time, the Lords nor Commons ever altering or attempting to vary the Taxes granted by the Clergy, a strong Authority to prove not only that Legislation is one Thing and Taxation another, but in what the true Constitution of this Country, as handed down to us by our Ancestors, consisted: The Commons granted, it was the Grant of the Commons that was the Substratum upon which King, Lords

and Commons agree to give the Force of a Law, & make it an Act of Legislation to empower and enforce legal Obedience to the Grant. Further all Bills that have pass'd both Houses remain in the Upper House for the King's Fiat, except Bills of Subsidy and Taxation, which when pass'd by the Lords are again sent down to the Commons, whose Speaker presents it to the Sovereign as the free Gift of the Commons, and it is to them only the King applies both when he asks and when he thanks for a Supply: That Powers have by express Compact been granted to and accepted by the Colonists and repeatedly recognized by Parliament, it was plain we intended them to be free as ourselves, having given them a Constitution as nearly resembling our own as we can; They have the Power given them of raising and of granting their Money, a Power which constitutes the very Essence of Parliament, if this Power is taken from them, the very Existence the very Essence of Assemblies is destroy'd. Grievances then can never be redress'd, and Grievances they have had and will in all Probability have again, which ought always to take Place of Grants of Money, otherwise very material Grievances among those distant Subjects may sometimes (at least for a long Time) remain without Redress. Upon this Principle the Stamp Act cou'd not but be deemed a Grievance, and circumstanc'd as they are calls loudly for Redress, but at the same Time that you redress the Grievance, the Violence committed calls equally for the Hand of Resentment, and it greatly importes the Dignity of Parliament to see that the principal Offenders were brought to condign Punishment; The Claim of Contribution from the Colonies none can deny to be just, but the Mode of procuring it may be quite the reverse, Great Britain and the Colonies in the Article of Taxes may have very opposite Interests, and there may be a Probability of Alleviation to the Burthens of one at the Expense of Oppression to the other: Besides that the Circumstances and Abilities of the Colonies cannot be so justly and truly known to the Commons of England as to their own immediate

Representatives in their several and Respective Assemblies; there they enjoy the Exercise of that fundamental Right, of having some one in the Case of Tallages<sup>1</sup> to speak for them and to represent their Condition & Abilities, in Parliament it is an almost impracticable and impossible thing, and by that Means they lose a very important Privilege belonging to the Represented. The supreme Power wheresoever lodged is undoubtedly comptroulable, for it must and it will controul itself by the Powers of Reason, always should act upon the Principles of Humanity & Justice; Circumstanc'd then as the Colonists are in Point of Distance, Situation, Abilities & Rights, the greatest Caution cannot be too great in the Exercise of this great Supreme Power, as it is to affect the Subject there: It was Lenity, Humanity & Magnanimity that did more to preserve to Rome the Roman Colonies secure & dependent than all the Legions she ever was Mistress of or cou'd at any Time command; That shou'd it be the Sense of the House after all, that Parliament is in Possession of this *Summum Jus*, it will do well to remember, the *summa Injuria* is its well known Offspring. On the other Hand, the Attorney General York,<sup>2</sup> the Chancellor of the Exchequer, all the Gentlemen of the long Robe, and others express'd themselves in favour of the Proposition, as offered by Mr Conway, after approving the Propriety of confining the Debate to the single Point of Power and the Right in the Parliament, without intermingling therewith any thing touching the Expediency of a Repeal of the Law so greatly complained of, which wou'd become a fit and proper Subject for the Consideration of another Day, they entered fully and at large into the great Question; The Heads of the most material Arguments I think were to the Effect following; That the Establishment of the Colonies was originally by License from the Crown,

<sup>1</sup> "Tallage was a tax levied at a feudal lord's arbitrary will upon more or less servile dependants, who had neither power nor right to refuse." McKechnie. *Magna Carta*, 278.

<sup>2</sup> Charles Yorke [1722-1770].

who by Charter gave them the *Jura regalia* and Powers of Government as necessary for their Protection, Defence, and Support, of Civil Government among them, being to be so far distant from the great executive Power of the Realm, which Powers of Government so given by the Crown were of a Nature with those granted to the East India Company and to great Cities and Corporations in England, each having a Power of raising Money for their Support, but neither of which cou'd by any Grant the King cou'd make, be exempt from the supreme Authority of King, Lords & Commons. That the Crown was but a Part of the supreme Power of the Realm, and therefore cou'd give no more, indeed in some Instances seem'd to have granted all that he had to grant, but by no Construction cou'd be deem'd to have granted that which he had no Power to grant, that which belonged to the supreme legislative Power, which in all Ages did extend wheresoever the Sovereignty of the Crown did extend; That the Colonists carried with them all the Subjection and Allegiance they owed when resident in Great Britain, that no Time nor Distance cou'd terminate that Subjection and Allegiance, which by the Law of the Land must descend to their own immediate Heirs, & to all their Posterity; whatever Compact was stipulated between the Crown and those his Subjects upon their Emigration no Condition whatever was made or wou'd have been suffer'd between them and the supreme Sovereign Power. That the Parliament had Power to alter and change their Property, to enact Laws for Punishment of great Offences and in particular of High Treason, by which the Property might be divested, Inheritance taken away etc. without their immediate Consent, and yet not have a Power to impose a Tax upon their Property, seem'd an extraordinary Proposition; That after the Revolution, upon an Application to have the Judgment reversed which in 1684 had adjudged the Charter of Massachusetts Bay to be null and void upon a Writ of Quo Warranto of King James the 2nd. the Agent urged Illegality in the Manner of Proceedings, upon which that

arbitrary Judgment was grounded, and insisted that the Judgment shou'd be revers'd, and in Consequence the Charter restor'd in toto, but Pollexfen<sup>1</sup> and Holt<sup>2</sup> gave their Opinions that if the Charters were restor'd because of the Illegality of the Proceedings, yet they must expect to have that Charter in due Manner repeal'd, because the Crown had not, nor cou'd have the Power to grant, as in that Charter had been granted, and accordingly it was not sent back in its first Extent but alter'd in very material Points, a Proof and Authority of the Sense and Opinion of the Kingdom upon the Revolution touching the Force and Efficiency of the Charters to the Colonies as controulable by an Authority in Great Britain short of the Supremacy of the Realm: That in the Year 1713 a Bill was brought into Parliament for the Purpose of raising a Revenue within the Province of New York, in Consequence of a Refusal there to levy for the Support of his Majesty's Government, a Bill advis'd and prepar'd by Sir Edward Northey<sup>3</sup> and Lord Raymond,<sup>4</sup> who were well known the ablest Lawyers and greatest Sticklers & Defenders of the Liberty & Property of the Subject wheresoever inhabiting, that this Kingdom cou'd at any Period boast of, That in 1716 a Bill was brought in by the great Secretary Stanhope<sup>5</sup> for resuming Powers which had been granted in the Colony Charters: That in 1717 a Bill was brought in to take away the Charters which had been granted to the several Colonies, the Power of Parliament in any of those Cases was never questioned, that if the Parliament had the Power to take away those Charters, by Virtue of which the Colonists claim the Right & Power of imposing and levying Taxes, it cou'd not but be possessed of the Power of Taxation; Mr Dummer, than whom, it was said, no Man better understood the Nature and Extent of the Colony Constitutions, in the able Defence he made in Behalf

<sup>1</sup>Sir Henry Pollexfen [1632?-1691].      <sup>2</sup>Sir John Holt [1642-1710].

<sup>3</sup>Sir Edward Northey [1652-1723], Attorney-General.

<sup>4</sup>Sir Robert Raymond, first Baron Raymond [1673-1733], lord chief-justice.

<sup>5</sup>William Stanhope, first Earl of Harrington [1690-1756].



of the Colonies, never so much as suggested a Hint tending to question the Power of Parliament, he desir'd their Charters might be considered in the same Manner with all other Charters of Incorporation, which in Times when civil Liberty flourished, were never taken away or forfeited unless the Incorporated had done something to deserve & incur a Forfeiture. That as to Representation, either actual or virtual, it was by no Means the sole and antient Basis of the Supreme Power and Authority of Parliament. The Clergy, it was true tax'd themselves for a considerable Length of Time, not because they were not represented in Parliament, Gentlemen conversant in the true and antient History of this Country cannot be ignorant how great the Power of the Church was in this Kingdom, amongst other Exertions of that Power at the Instance of the Clergy, the Pope issued his Mandate, exempting their Lands from being tax'd as appropriated to the Maintenance of Holy Church, but not having exempted their Chattels in subsequent Times Parliament was about to exercise the Power of Taxation thereon, which occasioned a Stipulation between the Crown & the Pope, to whom the Clergy again complained, that the Bull of Exemption shou'd be repeal'd, and the Clergy should yield Contribution to Government; provided they shou'd grant alone and for themselves, this was the Foundation of the Clergy's subsidizing their Lands and Property separate and apart, an undoubted Infraction upon the Constitution and which in after and more enlighten'd Days was restor'd to its antient pristine Power; That the supreme Power must be compleat and entire; in Legislation and Taxation coequal and coextending, and tho' by Equity from Regard to Circumstances and Situations Indulgence had been given either to come to Parliament or to raise Money in the Way of Taxation for the local Purposes of subordinate Districts and Governments, yet that Indulgence cou'd never abridge the Supremacy in any of its Powers and Authority; Upon this Principle the Parliament of Great Britain alone could and did, (Ireland having that Indulgence

granted) absolve the People of Ireland from Duties due to the Crown, impos'd by Acts pass'd in their own Parliament; It was the Commons of England that directed that the Charge of the Army, kept up for the Defence and Security of that Kingdom, shou'd be provided for by the People of Ireland, leaving the Provision to be made by the Irish Parliament, which if not complied with, wou'd have been enforc'd by a Law of Great Britain, and was so understood and known at that Time in both Kingdoms: That in all the antient Subsidy Acts, the Form and Tenor thereof runs that the Subsidies laid and impos'd are to be paid by his Majesty's Subjects within the Realm and in all the King's Dominions, particular Parts and Places were sometimes expressly excepted, as Wales constantly before the Statute of H. 8. Ireland, the Counties Palatine upon whom the Charge of defending the Northern Frontiers fell by their Charters, Calais, Guienne, Gascony, and particular Corporations upon particular Accounts, which Exceptions, it was said, prove that if they had not been particularly excepted, altho' not represented, they must have been comprised under the Act & within the View thereof; This the Parliament in those Times knew, and that too as Calais, before it had Representatives, had in several Subsidy Acts not been excepted, but had been assessed and paid its Assessment: The Counties Palatine notwithstanding their Power of raising Levies within themselves, unless expressly excepted in the Acts of Parliament which was usually done in Ordinary Cases, were subject and liable to the Taxes and Impositions of Parliament, when upon particular Occasions judged necessary.

That the Strength of the Empire in America depends upon an entire and exact Obedience to the Supreme Authority in Great Britain, which if infring'd in any Instance, no Man cou'd foresee the Confusion that must inevitably follow, Cases might and undoubtedly wou'd happen to puzzle the ablest Lawyers of the Time to distinguish the Difference between Duties and Taxation, between the Right of laying one & the

other; That this was settled and established to be one entire Power lodged in the Commons of England in the great Conference in William the 3d's Time, between the House of Lords and Commons, when the Lords were inclin'd to have establish'd a Difference between Duties and Impositions upon Merchandize, and the Grant of Taxes and Subsidies, with a View to confine the Power of the Commons to the latter only, the Commons said it was the Usage of Parliament the Uniformity of all Ages which limits the Power of the Crown and the Power of both Houses of Parliament; under this Sanction they claim'd the Power entire and in its full Extent. That this Power which the People of America seem'd to question at this Time it was for the Happiness and Welfare of the whole, as well as for the Honour and Dignity of Parliament, to support with Firmness and Resolution; and it was the more extraordinary to be questioned by the Americans, as so late as the year 1755 a general and universal Complaint of the People of one Province, that of Pennsylvania, against their Assembly for a Breach of Trust in the Omission of their Duty to make the necessary Provisions for the Defence, Protection and Support of that Colony was transmitted, a Complaint the more considerable not so much from the Numbers, or the Opulence of the Complaints, as from the intrinsic Weight of the Complaint: Circumstances happening prevented the Interposition of Parliament, which if not occur'd in good Time, Parliament undoubtedly would have interfer'd; It was said also that in Consequence of a Provincial Difference the Province of Maryland contributed little or nothing to the general Expence of the American War, the Burthen by that Means falling heavier upon the other Colonies, it was in Idea with all the Colonies to send home Representations against Maryland, for the Inerposition of Parliament; With what Propriety could those Representations have been transmitted, had not the Americans at that Time thought differently of the Power which they now question? It was therefore for the sake of the Subject there the Sovereignty should not be given up in any one

Point. The Parliament would in that Case never have it in its Power to give Redress in any Application or Complaint hereafter to be preferr'd by any Subject or Subjects in America. That all Government is founded in Trust, wherever the Trust is placed, that Trust is absolute and entire, the Kingdom and Colonies compose one great Mass of political Strength, and tho' the jealous Language of Liberty cou'd not but approve itself to every Lover of Liberty and Admirer of this Constitution, yet when that Jealousy was carried so far as to tell the Sovereign Power they will not trust you, unless you recede from your Power, it becomes too alarming and calls for the Exertion of Spirit & of Wisdom. Ask France what Occasion She wou'd wish for yr Destruction, she will answer, let Divisions be kept up and fomented between you and your Colonies, that a Departure from your Sovereign Power will be that Diminution and Weakening of yr Authority, she wou'd be most pleased to see as the surest Means to her of compassing the great Object of her Ambition; this Sovereignty then is so necessary to be compleat and entire for the Sake of Great Britain and America equally, so essential for the Benefit and Happiness of the whole, that if once broke into, the Dependency of the Colonies once given Way to, your Power and Authority, as a great respected Kingdom in Europe, is blasted, no Friend will trust you, no Enemy will fear you. The Debate ended about 4 in the Morning, when the Question was put in Consequence of Colo. Barrie's Motion, "that the Words in all Cases whatsoever stand Part of the Resolution"; I believe from the Sound there were not more than ten dissenting Voices; Learned as the Arguments were, that were offered in Support of the Antiquity of this Power in Parliament over all Parts of the King's Dominions as well Parcell of the Realm as *infra Dominium Regis* only, Yet I am free to confess I was not so sufficiently convinced as to have any other than a dissenting Voice upon that Occasion: The Arguments alledged, many of them collected from Times of Antiquity, it was then scarce known, much less defin'd

what the Nature and Spirit of this Constitution was, and as to those, urged from the Propositions made at and after the Time of the Revolution touching the Charters, tho' under the Sanction of great Names yet nothing being carried into Execution, by wch the Acquiescence of the Colonies cou'd be collected seem'd to my Mind not sufficiently cogent in a Case of this Nature, a Dispute of Right upon the Principles of Reason. But indeed the Statutes of Chester and Durham, tho' offer'd as a Proof of the Power of Parliament in taxing those who had been unrepresented, are in my Mind the strongest Parliamentary Declaration of the Illegality and Injustice of that Power. The Statutes of H. 8. touching Wales, and more particularly the 110th Ordinance in the 34th & 35th H. 8. Ca. 26 seems clear and plain that the Parliament in those Kingly & Prerogative Times deem'd a Representation the *sine qua non* of a Subsidy & Taxation to be impos'd by Parliamt; when for almost three Centuries Laws had been enacted from Time to Time in the Parliamt of England touching the Inhabitants of that Principality, but in no one Subsidy Act was Wales ever comprehended unless by way of Exception untill ye Statutes of H. 8. had been enacted, & yet I believe it wou'd be difficult to find any Terms so expressive of the Supremacy of England over Wales, as made Use of in the Preamble to the 27th H. 8. Ca. 26.

Crompton,<sup>1</sup> Ld Cooke,<sup>2</sup> and other great Lawyers have in their Time denied the Power of Parliament to lay Taxes upon the People of Ireland, for Want of Representation therein, and in almost the same Breath have asersted the Legislative Authority of Parliamt to bind the Subjects & Inhabitants of that Island: This was another Reason why I was against the Extent of this Proposition, as being carried farther than in the Case of Ireland (as will appear by looking into the Act of Geo. 1st for better securing the Dependency of Ireland) for which there is not a Ground of Reason or in Justice. I

<sup>1</sup> Richard Crompton [fl. 1573-1599].    <sup>2</sup> Sir Edward Coke [1552-1634].



had another Difficulty Vizt to bring myself to say I am in Possession of a Constitution which in Point of Justice and Equity I ought not to exercise; it seem'd to my poor Understanding no Honour to the Mother Country to pride itself upon a Power neither founded in Justice or Equity: And as to the Use or Benefit she will derive from this Assertion, Time alone can elucidate, in ordinary Cases with neither Policy Justice or Equity to support such an Exertion, upon extraordinary Occurrences if any such should offer to demand an extraordinary Interposition of the Supreme Power, it wou'd not upon such Exigencies, I believe, be for searching into Precedents.

A fuller House I don't recollect to have seen, and it is to the Honour of Parliament I must add, that I believe there never was a Debate so temperate, serious, solemn, and Parliamentary, without the least Appearance of Party or Faction, (disunited and divided as we are) intermingling in the Arguments upon the Question on one Side or other.

The same Day the same Proposition was mov'd & agitated in the House of Lords, Lords Shelburn<sup>1</sup> and Campden<sup>2</sup> took the same Objection that had been made in the House of Commons, the Upper House divided upon it, for the Amendment offer'd by Lord Shelburn 5 Lords agt 132 Lords. The 10th, 11th, 12th, 13th, 17th & 18th were employ'd 'til near Eleven each Night in proving the Allegations of the Petitions and in the Examination of several of the Gentlemen who had been [summoned to] attend. This Enquiry went to the State of America before & since                      wonted Loyalty & Affection to the Mother Country, its present Estrangement, Misery and Despair, the Nature of its Trade & Commerce, the Benefits that accrue therefrom to Great Britain, the vast Debt owing from thence, its present Inability, indebted and drained by the heavy Expenses of some years back, the Im-

<sup>1</sup> Sir William Petty, first Marquis of Lansdowne [1737-1805].

<sup>2</sup> Sir Charles Pratt, first Earl Camden [1714-1794].

practicability of Payment in Specie, the Searcity thereof, the Want of a proper Medium in Paper, the peculiar Oppression of the Stamp Act, the Inequality thereof, with all its various Grievances, the Attack upon the Liberty and Property of the Subject by the Establishment of Courts of Admiralty, the Impracticability of obtaining Justice, not only for Want of Juries, but from the Expence Persons living at a Distance must be put to, and the Danger to a due Course of Justice in giving and providing for the Judges Salaries out of the Forfeitures to arise.

The Nature of the Orders which had been receiv'd for the usual Manufactures of Great Britain, the prospect of America manufacturing for itself, the consequential Evils from such a State to the Mother Country & the Colonies alike, the State and Condition of our Manufacturers and Poor at this Juncture, their Poverty & Want, the Distress of the Kingdom and America unparralelled in History & in Time, the Impracticability of enforcing this Law throughout the Continent without a Military Force, the impending and sure Ruin from a Conflict of that Nature to both, the undoubted Certainty of America returning to its Affection and Gratitude, to its just and due Subordination to the Mother Country and the Laws and Regulations to take Place from Time to Time, as soon as it has Experience of her Lenity, Humanity, and Magnanimity.

This Enquiry finished, in the Evening of the 18th Mr. Conway gave Notice to the Committee that upon the 21st he shou'd move a Resolution grounded upon the Result of this important Scene wch had been develop'd at the Bar; On that Day in a very full House after a brief Recapitulation of the most material Points given in Evidence he mov'd the Resolution mention'd in my last to have been carried in the Committee by 275 agt 167 Voices the Division was in Consequence of an Objection to the Word "Repeal" in Place of which it was mov'd to insert "explain and amend" in the Debate there was no great Variety of Argument from what had on

former Occasions been express'd that I shall not trouble you with a Repetition. I observed that the Prayer [in the] Petition to the House of Commons concludes that the said Acts may be [repealed or] [o]therwise relieve yr Petitioners &ta. Had the Petition been                      that little Expletive *or* might have done us Prejudice, as the Alternative of such other Relief wou'd have furnish'd Ground for a Modification, the Point upon which the Opposition made their Stand, as you will perceive by the Amendment offer'd, "to explain and amend" in Lieu of the Word "Repeal." I cannot conclude this without observing that it must be some Satisfaction to you to see from the Account I have here troubled you with, the very great Attention and minute Enquiry which has been had and given upon this Occasion in the House of Commons: I shou'd have inform'd you before that I had signified to my Friend Mr Dunning<sup>1</sup> and Mr. Serjeant Glynn<sup>2</sup> (Gentlemen eminent at the Bar for having distinguished themselves in the Cause of Liberty in the Case of General Warrants) that I had rec'd Instructions from America to call in the Assistance of Council in Support of their Applications to the Houses of Parlt and shou'd apply to them if Leave for that Purpose shou'd be granted by the House of Lords; At present I hope I shall have no Occasion to be heard at their Bar for the Purpose of inducing their Lordships to grant the necessary Redress. By the inclosed Vote you will see a Bill for a Repeal of the Stamp Act was brought in to the Commons upon the 26th of Febry & another grounded upon the first Resolution enclos'd in my last wch has rec'd my Negative in every Shape of it, for the Reasons assign'd in the former part of this Epistle when the Resolution was propos'd. The two Bills have gone Hand in Hand, were read a second Time upon the 27th, committed for the 28th and reported to the House upon the 3d Instant; then ordered to be engross'd & the 4th past

<sup>1</sup> John Dunning, first Baron Ashburton [1731-1783].

<sup>2</sup> John Glynn [1722-1779].

the House of Commons upon a Division of 250 agt 122 on which I most sincerely congratulate you; I believe it will meet with its Share of Opposition also in the House of Lords, but think it cannot hurt us, I hope soon to forward a good Account of its passing that House & of having received the Royal Assent. Messrs Hanbury informs me, that Capt. Curling stops at Annapolis, that I shall direct this packet to the Care of Mr. Dulany, a Gentleman who has here the Credit of a Pamphlet that wou'd have done Honour to any Gentleman.

I am Gentlemen, with Regard, yr Mo. obedient and very Hble Servt.

Chas Garth.

Messrs Tilghman & Murdock & Ringgold.

[May 27, 1766. Ordered, That the following be Entered on the Journal as the Resolve of this House, viz: Resolved Unanimously That the Gentlemen of the Committee of Correspondence be directed by the Speaker to acquaint Charles Garth Esq., that this House unanimously approves his conduct, communicated in his letters of the 26th of February, and 5th of March last, to Messieurs Tilghman, Murdock and Ringgold, laid before this House." *Votes and Pro. L. H. of Assembly, May Sess., 1766*].

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## MINUTES OF THE BOARD OF PATUXENT ASSOCIATORS.

(From the Society's Collections.)

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Nottingham, April 21, 1781.

At a Meeting of several Gentlemen of Prince Georges and Calvert Counties, to wit, Wm. Fitzhugh, Thos. Contee, David Craufurd, Frank Leckie, Wm. Allein, Alexr. Howard Magruder, Joseph Wilkinson, Patrick Sim Smith, John Harrison, Dr. John Bowie, Dr. Leonard Hollyday, Leonard Hollyday, jr., Robert Bowie, John Read Magruder, John F. A. Priggs, Thomas Gantt, Fielder Bowie, John Waring, Joseph Walker, Thos. Harwood, Nathl. Weems, Saml. Maynard and John Brown, Junior, in order

to consider of and adopt some Plan, for the good and safety of the Publick in general, and particularly for the Defence of the River Patuxent and the Inhabitants of the several Counties lying on and adjacent thereto; the Honble. Wm. Fitzhugh, Esqr., was appointed Chairman and John Harrison, Secretary, to the meeting.

Resolved, That Thos. Contee, Wm. Allein, Esqrs., be appointed a Committee, to wait on the Governor and the Council with the following requisitions, to wit, To Request the Governor and Council to furnish all necessaries, they conveniently can, and give directions to the Lieutenants of the several Counties, to afford Men from time to time to guard the several Posts on Patuxent River, and furnish them with Provision. Also that a Guard of one hundred Men or more, from Prince Georges, Calvert, Charles and Saint Mary's Countys, be appointed to act on each side of the River, and the several Commanding officers be impowered to impress and take all Boats, Battaux, Cannoes, &c., that they think necessary, to Transport their Men from Place to Place. That four field pieces, Nine and Six pounders, mounted on Travelling Carriages, ammunition for the Cannon, and provision for the whole, be ordered; and to request the Governor and Council, to invest the Gentlemen of this Meeting with proper and sufficient powers, to order the Men and articles they may think proper to furnish, in such manner as they think most conducive to the Publick Good. To inquire in what forwardness, or what Prospect there is of the Fort being compleated at Drum Point, and to make their report of the whole to this Meeting on Saturday next at this place.

Ordered, That Circular Letters be wrote, signed by the Chairman and sent to Gentlemen of Charles, Saint Mary's, and Anne Arundell Counties, requesting a deputation of some Gentlemen from those Countys, to attend this Meeting, at this Place on Saturday the 28 Inst.

This Meeting adjourns to Saturday the 28 Instant.

Saturday, April 28, 1781.

The Meeting attended according to adjournment. Messrs. Contee and Allein gave in the following report, to wit, that they



waited on the Governor and Council, layed the requisitions before them, and were informed the Treasury was without Money, that they, the Governor and Council, approved of the Measures proposed, and expressed a readiness to give any Assistance in their power.

First. They would issue Orders to the Lieutenants of the several Countys, to order the Militia to the several Posts that shou'd be thought necessary; that the officers shou'd have power to impress and take all Boats, Cannoes, &c., &c., which they might judge necessary to transport the troops to any part of the River as they thought proper.

Second. They gave them an order for 2 Nine pound Cannon, two Barrells of Cannon powder and Fifty shot, also for Thirty Barrells of Flour. The Cannon have no Carriages nor have they any Six pound Cannon to spare. They, the Governor and Council, say, we must move the Cannon to the place they are wanted, fix them up with Carriages, or use them in any manner as may be thought best for the service.

Third. The Fort that was by Law directed to be built at Drum Point, the Governor and Council informed them, was not yet begun, nor was there adequate provision made by law for the purpose. If this Meeting would advance Money to Government, they would begin the Fort immediately. That they did not think themselves authorized to engage to do anything certain at the time, but told the Governor and Council, if the work was entered on and a prospect of its being carried on with Success, they wou'd venture to assure them, that the Counties they had the Honor to represent, wou'd lend every Assistance in their power, and do everything that cou'd be reasonably expected from them as private Citizens.

Fourth. The Governor and Council informed them, that all the Meat they have is for the Continental Troops, and that they cannot make use of it for any other purpose, therefore desire, this Meeting will endeavour to procure Meat for the Service; and do and execute whatever may be thought proper and best for the security of the Inhabitants on Patuxent River and parts adjacent; having a due regard to frugality to avoid every unnecessary

Expence, and to hand in a charge of the whole which they will reimburse.

Ordered, That Coll. Fitzhugh, Mr. Craufurd, Mr. Contee, Mr. Lyles, Capt. Maynard, Mr. Gant, Mr. Allein, Capt. Davey, Mr. Leach, Coll. Wilkinson, and Capt. Magruder, be a Committee to report what ways and means are most advisable and immediately expedient, for the defence of Patuxent River. Mr. Contee returns and brings in the following report, to wit, That as soon as may be and without loss of time, two Nine Pound Cannon be stationed at or near Hollands Clifts on the narrows of Patuxent River, to be on travelling Carriages to move occasionally, and that thirty Men be stationed to defend the Post.

That a Row Galley or vessell of Force properly manned and equipped be immediately procured and stationed at the Mouth of the River to act occasionally.

That a Barge of forty feet Keel, to row with Sixteen Ores and armed with two Swivels, be provided to coöperate with the other Force.

That a Whale Boat to look out, is also necessary.

That a three pound Cannon on each side the River with travelling Carriages, be provided and put under the Management and Conduct of not less than twenty-five Select or Other Militia for each Cannon, at or near the Mouth.

That Beacons be fixed at proper places to alarm.

Also that an Association or agreement be entered into by the Gentlemen now present, and such other Inhabitants of Saint Mary's, Calvert, Prince Georges, Charles and Anne Arundell Counties, as think proper to join with them, in this necessary Defence, whereby every Man shall bind himself each to the other, to carry the above Measures into execution. Which was read and concurred with.

Resolved, That the Thanks of this Meeting be rendered by the Chairman to Mr. Denistee, owner, and Mr. Ander, Commander of the Schooner *Resource*, for the assistance they have already given, and that, which they now again so friendly offer to this Meeting, for the Defence of the River. To assure them that this Meeting will whenever required, most readily return the Cannon

and Ammunition, they may think proper to furnish them with for the above purpose.

Ordered, That Mr. Rogers, Mr. Smith, Mr. Nicholls, Mr. Tildard, and Mr. McPherson be a Committee to prepare and bring in an Association agreeable to the report of the Committee, for the immediate and expedient Defence of Patuxent River.

Mr. Rogers brings in and delivers the following Association, to wit, Whereas at a Meeting of number of respectable Gentlemen at Nottingham on Saturday, the 28th day of April, 1781, for the purpose of forming a plan for the Defence of Patuxent River against the Common enemy, it was agreed upon as follows, to wit, That as soon as may be and without loss of time, two Nine Pound Cannon be stationed at or near Hollands Clift on the Narrows of the above River, to be on travelling Carriages, to move occasionally and that thirty Men be stationed to defend the Post.

That a Row Galley or vessell of Force, properly manned and equipped, be immediately procured and stationed at the Mouth of the River to act occasionally.

That a Barge of forty feet keel to row with sixteen oars and armed with two Swivels, be provided to cooperate with the other Force. That a whale Boat to look out is also necessary.

That a three pound Cannon on each side the River, with travelling Carriages be provided and put under the management and conduct of not less than twenty-five Select or other Militia for each Cannon at or near the Mouth. That Beacons be fixed at proper places to alarm.

That Association or Agreement be entered into by the Gentlemen now present and such other Inhabitants of Saint Mary's, Calvert, Prince Georges, Charles and Anne Arundell Counties, as think proper to join with them in this necessary Defence, whereby every Man shall bind himself each to the other to carry the above measures into effectual execution, and that the proceedings of this and the former Meetings be transmitted by the Secretary to the Governor and Council.

In pursuance whereof we the Subscribers hereby undertake and bind ourselves each to the other, to support this intended Defence

and carry the same into effectual execution in proportion to our respective Abilities, relying upon the Assurances of His Excellency the Governor and the Honble. Council heretofore made to Thomas Contee and William Allein, Esqrs., that the whole expence of such necessary Defence shall hereafter be defrayed out of the Publick Treasury of the State. Which was read and concurred with.

Ordered, That Capt. Wm. Bowie, jr., and Joseph Walker do apply to the owners of the four Cannon at Upper Marl'bro, and know from them, if they will dispose thereof, and on what terms, and that they make their report to this Meeting.

Ordered, That the proceedings of this and the former Meeting be transmitted by the Secretary to the Governor and Council. This Meeting adjourns to Friday, the 4th May, 1781.

Fryday, May 4, 1781.

The Meeting attended according to Adjournment.

Thos. Contee, Esq. in absence of Coll. Fitzhugh is appointed Chairman.

On motion. Resolved that the clause in the Association, to wit, "That a three pound Cannon on each side of the River with travelling Carriages, be provided and put under the Management and Conduct of not less than 25 Select or other Militia for each Cannon at or near the Mouth" be expunged, and instead thereof, the following Clause be inserted to wit, That 25 Select or other Militia Men, with proper Officers, be stationed as a Guard on each side the River, and that a three pound Cannon on travelling Carriages be provided for each Guard.

Ordered, That Capt. Maynard, Mr. Weems, Mr. Allein, Mr. Leach, Mr. Johnson, Mr. Forbes, and Mr. Southeron, be a Committee of Purchases, to carry into execution the Resolves of this Meeting and that their Engagements be complied with accordingly, also that their Riding and other expences in the prosecution thereof, be repaid them by this Meeting.

Ordered, That the necessary expences of the Secretary in attending this Meeting be also repaid him.

On motion, Resolved that the Committee of Purchases, do not exceed one thousand Hogsheads of Tobacco, or the value thereof, and that they make their Contracts on as long Credit as they consistently can.

Ordered, That the orders from the Governor and Council on Ignatius Taylor, Esq., for 30 Barrells Flour, on Mr. Shaw for 2 Nine pound Cannon, &c., &c., in favor of Messrs. Contee, and Allein be indorsed by them and delivered to the Committee of Purchases, and they are required, as soon as possible to have the Flour moved to some safe Place, to have the Cannon properly fixed, and sent to Holland Clifts on the Narrows of the River.

Ordered, That Thomas Gant, John F. A. Priggs, John Harrison, and Thos. Contee be a Committee to draw up rules and Regulations for this Meeting, and deliver the same to the next Meeting. This Meeting adjourns to Saturday the 12th instant to meet at Benedict in Charles County.

Benedict, Saturday, May 12, 1781.

The Meeting attended at this place according to adjournment. Present the following Members and Associators, to wit, Thos. Contee, Leon<sup>d</sup>. Hollyday, Sen<sup>r</sup>., Leon<sup>d</sup>. Hollyday, Junior, Alexr. Howard Magruder, Rinaldo Johnson, John Perrie, Benj<sup>n</sup>. Mckall, Edward Reynold, Benj<sup>n</sup>. Mckall, the 4th., John Morton, Henry Southeron, Francis Wheatly, Wm. Wilkinson, James Smith, Michael Wallace, John Wheatly, Richard Wheatly, Saml. Maynard, John F. A. Priggs, Joseph Wilkinson, William Allein, & Richard Carnes, Thomas Contee, Esq., is appointed Chairman.

Mr. Rinaldo Johnson from the Committee of Purchases, brings in the following report, to wit, "That in compliance with the Instructions by the Board given to your Committee, and their anxiety to facilitate so laudable an undertaking, they proceeded to Baltimore, and there applied for the Jack-a-Lanthorn, but on viewing her, your Committee were of opinion she wou'd by no means answer the purpose of this Board together with the price demanded for her. Your Committee further report that they have purchased the Schooner Nautilus, burthen about eighty-five



Tons fitted and found agreeable to the inventory hereto annexed, for which said Vessell and her Materials your Committee entered into a Contract of which the annexed is a true copy, and your Committee also returned the Bill of Sale for the said Schooner Nautilus and her Materials which is also annexed."

Invoice of Schooner Nautilus's Materials.

|   |  |
|---|--|
| Hull with masts and yards compleat          | 1 Pennant, 2 Candlesticks                            |
| 1 Boat with 3 Ores                          | 1 Frying Pan   |
| 1 Main Sail                                 | 2 Knives and Forks, 3 Spoons                         |
| 1 Foresail                                  | 2 Bowls, 2 Dishes                                    |
| 1 Standing Jibb                             | 6 Plates   |
| 1 Square Sail                               | 8 3 pound Cannon, with Tackles & Carriages compleat  |
| 2 Top Sails                                 | 70 @ 80 3 pound Ball                                 |
| 1 Flying Jibb                               | 6 handspikes, 4 wormes & Ladles                      |
| 1 Top Gallt. Sail                           | 8 Rammers, 6 Match Stafs                             |
| 1 Ring Sail                                 | Some Match Rope                                      |
| 2 Anchors & 2 Cables                        | 10 Pikes, 10 large Ores, some Langrage               |
| 2 Buoys & Buoy Ropes                        | 1 Muskett, 1 Broad Ax, 1 Adze, 1 Saw                 |
| 1 Fish Hook                                 | 1 Chizzel, 1 Hammer                                  |
| 1 Cat Block                                 | some Scupper Nails, some Pump Leather                |
| 1 Binnacle, 2 Compasses                     | 2 Pumps, 2 Gallows                                   |
| 1 half hour Glass, $\frac{1}{2}$ Min: Glass | 3 Spears, 2 Brakes                                   |
| 1 Log Reel, 3 Lanthorns                     | 3 Lower Boxes  |
| 1 Speaking Trumpet                          | 1 pump Hook  |
| 1 hand lead line                            | 4 Bolts, 1 Bolt Hook                                 |
| 2 Marling Spikes, 3 Crow Bars               | 14 Iron Stanchions fore and aft and some white Paint |
| 2 Brooms, 10 Water Casks                    |  |
| Harness Tub, 2 Cans, 2 Kidds                |  |
| 3 Buckets, 1 Canhook                        |  |
| 2 Iron Pots, 1 Ensign                       |  |

Signed

Dorsey Wheeler & Co<sup>r</sup>.

Maryland Set.

May 10, 1781.

We Saml. Maynard and Renaldo Johnson Agents for, and appointed by the Board of Associators on Patuxent River, Do hereby acknowledge we have this day purchased (for the Board aforesaid) from Dorsey Wheeler and Company and Thos. Worthington, the schooner Nautilus as she now lays at Fells Point and agreeable to the Inventory delivered by them the said Dorsey Wheeler & Co<sup>r</sup>. and Thomas Worthington, and we the said Saml. Maynard and Rinaldo Johnson, Agents as aforesaid do oblige ourselves and our Successors to pay the said Dorsey Wheeler & Co<sup>r</sup>. and Thomas Worthington and their successors the quantity of three Hundred and Seventy-five thousand pound weight of good Merchantable crop Tobacco properly Inspected, each hog-head not to weigh less than Nine hundred and Fifty pounds weight clear of wood, and we do furthur oblige ourselves and our Successors to make the payments in the manner following: viz: One hundred thousand in two months, if demanded in One month, one other hundred and fifty thousand weight in three months if demanded in two months, and the remaining one hundred and twenty-five thousand pounds weight in four months if demanded in three months, and we do further oblige ourselves and our Successors to pay the said three hundred and seventy-five thousand pounds weight of Tobacco on the River Patuxent from Benedict, upward, and as large a proportion as possible at the Upper warehouses on said River, and that we will not offer payment untill demanded by the said Dorsey Wheeler & Co<sup>r</sup>. and Thos Worthington, which said Tobacco to be paid clear at any Expençe, except Warehouse rent and Inspection. Witness our hands this 10th day of May, 1781, and in the fifth year of American Independance.

N. B. We Saml Maynard and Rinaldo Johnson do engage in the name of the Board aforesaid that no Tobacco shall be offered in payment, but what has been inspected since the 15th Sep<sup>r</sup>. 1780.

We do hereby acknowledge to have this Day sold Saml. Maynard and Rinaldo Johnson, Esq<sup>r</sup>. the Schooner Nautilus with all

her Materials agreeable to the inventory delivered them by us, and we do warrant and defend the said Schooner and Materials to the said Saml. Maynard and Rinaldo Johnson, Esq<sup>r</sup>. and their Successors against all manner of persons claiming any right, title or interest in or to the said Vessel or Materials. Witness our hand this 10th May, 1781.

Signed

Dorsey Wheeler & Co<sup>r</sup>.

Agents for the Schooner Nautilus.

Which was read and concurred with.

Resolved, That John David be appointed Commander of the Schooner Nautilus and that the Secretary write to him to acquaint him thereof.

Ordered, That Saml. Maynard and Rinaldo Johnson or either of them be a Committee to assist and direct Capt. David in manning and getting the Schooner Nautilus round from Baltimore to Patuxent.

The following Resolves, vizt :

Resolved by the Meeting that a Committee be appointed to consist of fifteen Members, three from each County, who have or may hereafter sign the Association heretofore entered into, and that they be a sufficient body to do Business, and whatever Measures be adopted and carried into execution by them or by a majority of them, shall be binding upon the whole of the Associators as fully and amply as if the whole had been present and that no person act on this Committee until he has signed such Association.

Resolved, That a President be appointed out of the Body, and that no Member shall use any reviling speeches nor deliver his opinion or speak on any subject unless he shall stand up and direct to the President.

Resolved, That their hours of Meeting to do Business be at eleven O'Clock in the Morning, and that they proceed to Business as soon as a majority with the President shall meet, and whatever may be done or whatever Contracts or Engagements may be

entered into by such Majority shall be effectual and binding on the whole.

Resolved, That no Member shall be absent at the Hours of meeting or place appointed after eight of the Members are met according to the order of sitting under the penalty of such Fine as the President shall impose, not exceeding Four dollars of the new Emission unless upon excuse as the President shall admit, nor shall any Member depart without leave of the Majority.

Resolved, That no person speak in the Committee above once on any debate without leave declared by the President, and not more than one speak at a time; if two or more rise to speak at the same time, the President shall appoint who shall speak first and no Member shall interrupt another untill the Gentleman speaking hath ended.

Resolved, That in case of sickness, other disability or non-attendance of the President, at the time appointed, a Vice-President be chosen by the Members attending, and they proceed to business without delay, and their proceedings be as binding and effectual in every respect as if the whole Members had been present, and that the President shall be subject for non-attendance to a fine not exceeding Six Dollars of the new Emission, at the discretion of the attending Members or a Majority of them, unless upon excuse as they shall admit of.

Resolved, That the President or Vice-President as the case may be, with a Majority of the attending Members, shall adjourn their Meeting to any place or day they think proper and that any Associator not appointed a Member of this Committee, may attend from time to time, at his discretion, and shall have the same privilege of speech therein as any other person appointed a Member.

Resolved, That all Matters determined by the Committee, be by a Majority of Votes, and that every question resolved upon by them shall be binding upon the whole and that not less than a Majority of the Committee proceed to do business, unless to adjourn the Meeting to a further day and place.

Resolved, That if any person who shall be appointed on this Committee shall refuse to act, or upon death, removal or resigna-

tion, some person or persons, be appointed out of the County where such Vacancy may happen, by a Majority of the Committee.

Were read and unanimously approved of.

Ordered, That Coll. George Plater, Ignatius Fenwick, & Wm. Kilgour, Esquires, of Saint Mary's, Coll. Fitzhugh, Wm. Allein, & Walter Smith, Esqrs., of Calvert, Thos. Contee, Leon<sup>d</sup>. Holiday, Sen<sup>r</sup>., and John Rogers, Esq<sup>r</sup>. of Prince Georges, Wm. Wilkinson, John Forbes, and Henry Boarman of Charles, Thomas Tilyard, John Thomas and David Weems, Esquires, of Anne Arundell, Counties, be a Committee to carry into execution the above resolves, and to act agreeable thereto, untill the Second Monday in August next, and at that time to lay their Proceedings before the Associators, or as many as may attend at Benedict; and 'tis hoped and expected as many will attend as conveniently can.

Whereas, it may be thought proper to have this Meeting called or known by some certain appellation, for diverse Reasons, we therefore recommend for the future it be stiled and titled, the Board of Patuxent Associators.

Ordered, That the Secretary make and sign a fair Copy of the Proceedings of this and the two former Meetings and deliver it to the Chairman, to be by him transmitted to the Governor and Council. The Board adjourns to the Second Monday in August next, then to meet at this place.

A True Copy.

John Harrison,  
Secretary to the Board of Associators.

Prince Georges County, Patuxent River,  
May 26, 1781.

Gentlemen—

I am honored with an order, from the Committee of Patuxent Associators, to transmit to your Excellency and Honors, their Institution and Proceedings.

The Schooner Nautilus is purchased, Copy of the Contract, &c. inclosed. A Barge and whale Boat are Still wanting to Compleat



the plan. The Schooner is still laying at Baltimore, we did expect to have had her by this time in readiness to act on the River, but the Person who was appointed to the Command, has engaged himself in another Vessell for the defence of our Bay, so that we have a Commander to provide.

Shou'd we be so happy to meet the Approbation of your Excellency, & Honors be pleased to favor us with your direction & advice. It was thought a Vessell was wanting for immediate defence, shou'd a Row Galley be thought more proper for the purpose, the Schooner may serve untill one can be purchased or built, and we have little reason to doubt but the Schooner may be sold six months hence for the first purchase, shou'd it be found expedient.

Permit us to hint that (we are informed) a Law passed last Session for erecting a Fort on Drum point at the Mouth of Patuxent for the defence thereof; if That expence is not gone into and other Measures can be adopted of equal or inferior charge to answer as beneficial and salutary consequences, we humbly conceive the Publick will not be injured, and we shall be willing and ready to lend every assistance in our power.

As the General Assembly are now Sitting if your Excellency & Honors, think proper, and our Proceedings are worthy their notice, you'l do us the favor to lay them before our Legislature. We are desirous to be ascertained if our charges and Expences are to be reimbursed by the Publick, in our opinion it tends to the Publick weel to disappoint and frustrate the common Enemy in their diabolical machinations, whereby they are enriched and enabled to war against United States, happen it in whatever quarter.

We know not at what hour the Enemy cometh, therefore no time should be lost to meet the implacable foe. The Committee wish to be honored with a speedy answer. In future they will conduct themselves thereby. In behalf of the Committee, I am with sentiments of highest respect and esteem, your devoted and most obedient Servant,

Tho<sup>l</sup>. Contee, Chairman.

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REVIEWS AND NOTES.

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*Maryland under the Commonwealth; a chronicle of the years 1649-1658*, by Bernard C. Steiner, Ph. D. Baltimore, 1911 (Johns Hopkins University Studies).

This monograph, together with the *Beginnings of Maryland*, and *Maryland during the English Civil Wars* by the same author covers the same period as Bozman's History. Being in the form of a chronicle it is far more readable than the earlier work; and embracing as it does all the documentary evidence furnished by the publication of our *Archives*, it should be a definitive work. The appendix contains a summary of the principal cases tried in the Provincial Court, 1649-1658.

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*The Story of Maryland Politics*, by Frank Richardson Kent, Baltimore, 1911. 393 pp. \$3.00 net.

This volume is a compilation of the sketches published serially in the *Sun* during the past year and recites in an entertaining way the political history of the State from 1864 to the present time. Mr. Kent's long connection with the staff of the *Sun* and his legislative experience at Annapolis, particularly qualify him for the performance of such a task, but it is doubtful if the whole story has yet been told. An adequate index would have added greatly to the value of the book.

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*The Letters of Richard Henry Lee*, edited by James Curtis Ballagh. Vol. I. New York, The Macmillan Co., 1911. 467 pp. \$2.50 net.

The National Society of the Colonial Dames of America is doing a real service in financing works of this character, which ordinarily cannot meet the expense of publication.

The letters in this volume cover the period from 1762 to 1778, some of them, especially the Purviance letters have been printed in other places. Considering that a number of the letters are dated from Baltimore and that many references to Maryland affairs may be found in them, there is surprisingly little of local interest.

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*Archives of Maryland. Proceedings of the Council of Maryland, August 10, 1753—March 20, 1761. Letters to Governor Horatio Sharpe, 1754—1765. Edited by William Hand Browne, Baltimore, 1911.*

The thirty-first volume of the Archives of Maryland is now ready for distribution to subscribers and the public. About two-thirds of the administration of Governor Sharpe is covered by this issue, during which time the Boundary troubles required much consideration; Braddock's tragic expedition took place; and the anti-Catholic agitation was much in evidence.

The letters to Governor Sharpe were discovered by Colonel Oswald Tilghman, former Secretary of State, and forwarded to the Society by his successor, Secretary N. Winslow Williams.

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*St. Paul's Church and Parish, Ellicott City, Maryland, by Brother Fabrician of Jesus. Il., 183 pp. [Baltimore, 1911].*

This volume contains in addition to the history of the parish, a considerable number of personal sketches of former pastors and other religious; notes on distinguished parishioners; and eleven appendices containing parish records, etc. It is illustrated with a number of half-tone engravings.

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*Rafinesque; a sketch of his life with bibliography, by T. J. Fitzpatrick. Des Moines, 1911. 241 pp.*

The major portion of this volume is bibliographical and the sketch of Constantine Samuel Rafinesque, financier, naturalist and traveller is merely introductory to the bibliography. Rafinesque

tramped through Maryland on several of his many journeys and at least two of his works were published in Baltimore.

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*Rodney's Diary and other Delaware Records*, by C. H. B. Turner.  
148 pp. Philadelphia, 1911.

The diary of the Hon. Daniel Rodney covers 40 pages of this volume, and extends from 1813 to 1829; following the diary is "The affair at Lewes"; and the remainder of the volume is made up of abstracts of wills, Bible records and state papers. Some 23 Maryland wills are abstracted.

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*The Representative Authors of Maryland*, by Henry E. Shepherd.  
New York, Whitehall Publishing Co., 1911. 234 pp. \$1.50.

This work, for which the Randall Literary-Memorial Association stands sponsor, is one that has long been needed and it is a pity that it has not been better done. Being bio-bibliographical and critical in form, it is complete in no department and is marred by a number of blunders not to be laid at the door of the compositor. The critical estimates are curiously uncritical and consist principally of a lavish use of extravagant adjectives, applied impartially to all and sundry. The mechanical execution of the work is as unsatisfactory as the text.

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The *New England Historical and Genealogical Register* for July, concludes the List of Emigrants from England, which has been running through several numbers. In May, 1775, the *Isabella* brought to Maryland two indented servants and "seventy-five convicts from Bristol Jail"; the *Baltimore* brought to Baltimore forty-nine Redemptioners; the *Nancy* brought to Baltimore ninety-eight Redemptioners of whom nineteen were women: the *Mary* brought in twelve men and fourteen women indented servants; the *Fortune* seventy-six servants and the *Beaufort* twenty-seven; concerning the last consignment a note informs us that

"these people are all going to settle at Maryland, but being Germans could not sufficiently understand them to get further information of their ages and other particulars."

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The *Pennsylvania Magazine of History and Biography*, for July, contains some new Logan letters, parts of which deal with Maryland affairs in 1733.

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The *Virginia Magazine of History and Biography*, for July, contains an instalment of the genealogy of the Brent family, all concerning the Charles county Brents.

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In the fifth series of *Yale Biographies and Annals*, ed. by F. B. Dexter, five biographies of local interest appear, namely, Thomas P. Grosvenor (1800), Littleton P. Dennis (1803), Noah Porter (1803), Samuel B. Beach (1805) and Joel Page (1805).

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The Society has received from the A. S. Abell Co., publishers of the *Sun*, a file of fifty-two volumes of the *Philadelphia Public Ledger*, 1836-1864; and eight volumes of the *Dollar Newspaper*, 1843-1861.

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The following Washington county church records have been copied and indexed for the Society: St. Paul's Church, 1807-1849, 158 pp.; Salem Reformed Church, 1774-1783, 62 pp.; Church Book for the Reformed Congregation, Hagerstown, Md., 1766-1807, 214 pp.

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Permanent organization of the Washington County Historical Society was effected August 12th by the adoption of the report submitted by a committee of which Mayor J. McPherson Scott was chairman.

Officers were elected as follows: H. S. Bomberger, Boonsboro, president; John P. Smith, Sharpsburg, first vice-president; Rev.



Dr. J. Spangler Kieffer, Hagerstown, second vice-president; E. P. Cohill, Hancock, third vice-president; former Judge William J. Witzenbacher, fourth vice-president; Charles D. Wagaman, fifth vice-president; J. McPherson Scott, sixth vice-president; W. R. Hamilton, secretary, and Thompson A. Brown, treasurer.

The meeting was held at the Washington County Free Library and was largely attended. A constitution has been prepared for adoption after the society shall have been formally incorporated.

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### NEW ENGLAND HISTORIC GENEALOGICAL SOCIETY.

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The New England Historic Society has issued the following appeal; and as the conditions surrounding our own Society and collections are so like those of the Boston Society, that we must soon issue a similar appeal for aid, we are glad to assist in giving the movement publicity by reprinting the appeal in full.

"THE NEW ENGLAND HISTORIC GENEALOGICAL SOCIETY, of Boston, Massachusetts, founded in 1844 and the oldest society of its kind in the United States, having the largest historical and genealogical library in this country and one which could never be replaced, has reached a crisis in its history calling for immediate action.

"Its combustible building, an old dwelling-house remodelled many years ago, not only is inadequate to hold the priceless collections of books, pamphlets, manuscripts, and newspapers, some of which have already had to go into storage in an unused stable at the rear of the house, but has been condemned as *unsafe* to carry any further weight upon its floors and walls. This prevents any addition to the bookshelves, and necessitates that all meetings of members be held outside the Society's house.

"A modern, fire-proof building with metal fittings is needed *at once*, and this appeal is made to every person of New England ancestry, and others, for funds with which to erect it and carry on the valuable work of the Society. The Society owns land upon Beacon Hill, Boston, with an entrance to the same through

a building which it has recently purchased in Ashburton Place. The land adjoins the Boston University School of Law and is situated near and midway between the State House and the new Court House. A suitable structure can be erected and equipped for about \$100,000; and an additional permanent endowment of \$50,000 will be required to meet increased expenses and for enlarging the field of publication.

"The Society's library has always been freely open to the public, is visited and consulted by people from all parts of the world, and is almost daily taxed to its full capacity. Membership includes both men and women.

"Here is an opportunity for sons and daughters of New England, no matter where they live, to help in preserving and publishing the records of their sterling ancestors; and here is an excellent chance to give money as a memorial to some individual or family, either towards the building or endowment, for a special room or alcove, or for equipment or publishing. Sums in *any amount* will be welcome, and should be sent to the Treasurer, CHARLES KNOWLES BOLTON, 18 Somerset Street, Boston, who will answer any inquiry."

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